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## The Week

NOTHING is more extraordinary at the present time than the way in which public opinion accepts either with approval or indifference acts of unprincipled violence which at any other time since the recognition of such a thing as international right, would have been considered incompatible with the essentials of public security. The French operations in Germany are supposed to be limited by the observance of some kind of law, but whatever it is, it does not prevent the French army from treating Germany like a conquered country, from seizing any cities, territories or property which they please and from treating the inhabitants to all the brutalities of military terrorism. Yet these acts are perpetrated during the existence of a legal condition between France and Germany which is called peace. And they are defended in the name of justice as a penalty for the non-fulfillment of the terms of a treaty which the French themselves admit to be impossible of fulfillment. The French government proposes among its other little jokes to add to the reparations bill the cost of the occupation of the Ruhr. It is comparable to assessing against the estate of a wounded man the cost of the pistol with which he was shot.

CONSIDERING the apathy or the complacence of prevailing opinion in this country about the French behavior, it is encouraging to find at least one group of war veterans who understand the calamities and the dangers which the French government is bringing upon Europe. The Willard Straight Post of the American Legion in a recent address to President Harding raises a cry of alarm and proposes a drastic remedy. "If France persists," says the group of ex-soldiers, "in the strangulation of Germany's industrial life and at the same time should attempt the dismemberment of the Rhine provinces from the rest of the country, the German middleground republicans will be crushed between the battle of radical communism and militarist reaction. . . . Another imperialism will be fastened on Europe. The nations cannot again tolerate the menace to their security contained in the permanently enforced prostrations and dismemberment of one nation by the armed forces and economic power of another." With all this the New Republic heartily agrees. The question is what are the nations going to do to prevent it?

THE Willard Straight Post, so far as the American nation is concerned, has an answer ready for this question. It wishes President Harding to call a conference in Washington which would be asked to fix the German reparation liability at an irreducible minimum (the figure suggested is $12,500,000,000) the payment of which would be in effect guaranteed by the signatories to the final bargain. It proposes in addition a moratorium, a loan to Germany guaranteed by the American government, the inviolacy of European frontiers guaranteed in part by an American military force, limitation of land armaments, the abandonment of military sanctions and the establishment of an international court to which shall be referred all international questions not settled by political agencies and the execution of whose decrees shall be guaranteed by all the signatories. This plan is courageous and radical and embodies an honest attempt to deal with the many real difficulties of the most difficult international snarl which has ever tested the ingenuity and good faith of statesmen. In the end


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the American government will almost certainly have to follow this advice and call a new world conference, but when it decides on this adventure, we trust and believe that the agenda will not look as much in the direction of forcible guarantees as the Willard Straight Post has suggested. The decrees of such a conference could not amount to anything better than a rough and unstable compromise, and the attempt to stabilize a compromise of this kind by guarantees would impose upon America an impossible responsibility for forcing order on Europe. If the new compromise is to be an improvement on the impossible bargain of 1919 in Paris, the governments which negotiate it should be extremely reluctant to guarantee the performance of obligations which do not rest on the matured consent of the disarmed peoples.

WHAT objects are the French seeking in the seizure of the upper Rhine ports? It is impossible to relate this action to the original pretext for the Ruhr invasion—the collection of the indemnity by distraint. But as a practical fact, the indemnity issue is receding into the background. Nobody is any longer taken in by the sheriff analogy. The French are out for a new arrangement with Germany to supersede the Treaty of Versailles. And if war results they wish to be in a position to carry it on with expedition, without asking the support or even the consent of the British government. With their new positions on the upper Rhine they could easily link up with the Ruhr and have the British forces isolated, hugging a bit of territory far to the rear of the French lines. From this point of view the recent French operations represent merely another step in the policy of stripping off the restrictions of the decaying Anglo-French Entente.

PROFITEERING in coal must be going on somewhere. The labor cost of mining coal is under four dollars a ton; the cost of coal to the consumer in our seaboard cities ranges from sixteen dollars to twenty or more. The anthracite miners, in a report filed with the Federal Coal Commission, estimate that the excess profits of the coal dealers amount to a total of $94,500,000. There is reason for caution in accepting this estimate before the dealers have been heard on the costs of distribution and the risks of non-payment of coal bills. But it is not conceivable that the average of $3.45 taken by the dealers is merely a fair charge for distribution. Anthracite coal is a necessity of life, easily subject to monopoly influence. So long as it is left to the control of private interests, the consumer will be taxed to the extent of his ability to pay, whether by the operators, the railways or the dealers. The only escape from exploitation lies in far more systematic public intervention than has as yet been tried. If private interests are not to be excluded from this public service, at least a strict limit ought to be placed on their exactions.

MUCH to the regret of all believers in popular government, Senator Norris's attempt to diminish the interval between the election of a new Congress and its date of assemblage failed of passage in the House. It would be difficult to propose an amendment to the federal Constitution which combined a clearer benefit with a smaller loss than this bill of Mr. Norris's. The practice of electing a Congress in the November of one year and of not under ordinary circumstances allowing it to assemble until December of the year following is indefensible on any reasonable ground; and generations of political scientists have instructed generations of students to regard these provisions of the Constitution as an anachronism. But every established anachronism builds up a few vested interests and a larger amount of inertia in its favor, and these opponents have succeeded in blocking for the present the submission of the proposed amendment to the state legislatures. Fortunately they are not likely to be equally successful hereafter. The progressive bloc will be much stronger in the next Congress and should exert enough power to have its way at least to this extent. The delay which now exists in bringing to bear a radical change in public opinion on governmental policy is an extremely grave defect in the mechanism of the American democracy.

ON another page of this issue the Church League for Industrial Democracy publishes an appeal for funds with which to succor the striking railway shopmen. The strikers, of whom there are still about 200,000 unemployed, believe that if they can hold out six weeks or two months longer, they can eventually win. This expectation may or not be justified, but whether they win or not they certainly deserve assistance in keeping up the fight as long as they are able. It was necessary for some branch of labor to resist the increasing tendency of the Railway Labor Board to permit the profits of the transportation companies to depend upon a lowering of the standard of living for railway labor. The shopmen undertook the job, and while they themselves were more than half beaten, their protest was on the whole successful. The "liquidation" of railway labor ceased. The shopmen whose former employers have refused all compromise and demand the unconditional surrender of the strikers are paying a heavy penalty for a demonstration which was beneficial to others but injurious to their own union. They have consequently an unusual claim upon the goodwill of those who believe in the maintenance of high standards of living for the American wage-earner.

RUSSIA TODAY AND TOMORROW is the subject of the Survey Graphic for March. It is a remarkable piece of journalistic enterprise, from

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every point of view. The contents, edited by Mr. Savel Zimand, who has recently returned from an extended visit to Russia, include an account of the Russian schools by Madame Lenin, an article on proletarian culture by Lunacharsky, articles by Daniel Novomirsky on the peasants and the revolution and by Abraham Lozovsky on the new economic policy and the trade unions. We have seen nothing in recent months which throws so much light upon the actual conditions of life in Russia. Valuable as the articles are, they come very near being thrown into the shade by the strength and beauty of the illustrations. We should be sorry if any of our readers failed to see them.

## Germany 1914; France 1923

ONE of the curious illusions under which most of us labored after the outbreak of the world war was that there was such a thing as German militarism. It was no illusion that militarism existed in Germany, naked, strutting, detestable. Where we were hopelessly deluded was in ascribing it specifically to the German character, German political organization, German culture. Militarism is militarism, as we can see strikingly proved by the parallelism between French policy today and German policy of the first half of 1914.

The German menace of 1914 was made up of three chief elements. The first of these was the military-diplomatic clique with its desire for power and prestige. The second was big business, attached to the military-diplomatic party by the munitions interests in the first place and secondarily by ambitions of its own for conquered natural resources and markets. The third element was a people animated by fear of the traditional enemy, a fear spontaneous in its germ of national prejudice, but watered into a huge growth by the propaganda carried on in the press, the pulpit and the universities, in the interest of the general staff and big business.

To be specific, the German and Austro-Hungarian army cliques yearned for new worlds to conquer, the diplomats and bureaucracy for new fields for the exercise of the combinations by which they live. German big business yearned for the markets and the petroleum of the Levant, the ore of French Lorraine, the ports of Belgium and the potential food surplus of Poland. The plain, unambitious citizen was held in a state of suppressed panic by a propaganda which built up the great bogey of Pan-Slavism. Year by year, day by day, the publicity organs of militarism and big business dinned into the ears of the naïve citizen accounts of the relentless advance of Slavic power. Half Europe, with a vast Asiatic hinterland, obeyed the autocratic commands of the White Tsar. If Russia was industrially backward, nevertheless it had an immense and prolific population, yielding unlimited numbers of fatalistic fighters for the Tsar's armies. Besides, two great tongues of Slavic power penetrated Central Europe to the core, the North Slavs of Slovakia, Moravia and Bohemia and the South Slavs of Bulgaria, Serbia, Bosnia and Croatia. In any conflict these might be expected to side with their Russian kinsmen. Here was certainly material enough for the scaremongers in the employ of German militarism.

It is remarkable how closely the French situation of 1923 parallels the German situation of 1914. The French army group surrounding Poincaré differs only in color of hair from the army group that surrounded the Kaiser. In point of view and purposes the two groups are identical. The relation to the army of the munitions group centring in the Creusot works is identical with the old relations between the Krupps and the German General Staff. Big business in France is as definitely reaching for the coal of the Ruhr as German big business of 1914 was reaching for the ore of French Lorraine. The French press, pulpit and other organs of publicity are just as energetically occupied in building up the bogey of a German peril as the Germans were in building up the bogey of the Slavic peril. Even in details the parallel holds. Relatively to the French the Germans are numerous, prolific and backed by a portentous hinterland just as the Slavs were relatively to the Germans. As everybody knows now, it would have been absolutely suicidal for the Slavs to have attacked the Germans single-handed. It would be suicidal for the Germans to attack the French. But the German scaremongers made the plain German citizen shudder before an imaginative picture of Slavic strength, just as the French scaremongers are doing to the plain French citizen today.

From parallelism in conditions and causes we proceed to the equally remarkable parallelism in effects. German militarism was eager to strike before Slavdom should get its imagined resources organized. French militarism is eager to strike while Germany is starving and rent by political dissension. The Central Empires scanned the horizon eagerly for a cause of war. Perhaps it was accident, not design, that sent the Archduke, without a bodyguard, to Sarajevo, where even a fool could have known that some superheated Serbian nationalist would take a pot shot at him. Such accidents always occur if enough effort is made to give them a chance to occur. But how could a private killing be made into a cause of war? That was simple. The Serbian government undoubtedly sympathized with the nationalist movement among the Serbs subject to Austria. No doubt Serbian officials were to be found in the association in which the assassin was a member. Serbia, then, could be held responsible, and presented with an ultimatum that meant vassalage or war. Thus German militarism had solved its problem. It had its cause of war and could proceed, as it imagined, to the liquidation of Pan-Slavism and the establish-

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ment on eternal foundations of the German hegemony of Europe. But fate had other designs.

Let us now observe what the French are doing in the Ruhr. Apparently they anticipated resistance, and proceeded step by step with all the caution of an army advancing in the face of an armed enemy. The resistance did not materialize upon the mere fact of invasion. The French militarists waited impatiently for the German government to take some action that would give color of legality and justice to French aggression. But the German government perversely holds back from the abyss into which the French wish to plunge it. Accordingly it is necessary to build up a case of constructive guilt. French soldiers are permitted to enter hotels and restaurants where they have no business and raise a commotion if they are not served to suit their taste. Towns are fined if disorders occur, and if they do not pay, collections are made brutally from house to house. African troops are brought forward to Coblenz and preparations are made for distributing them in the Ruhr. The French know that the feeling of the German population toward those troops, whether they are Negroes or only "colonials," whether black or chocolate colored, involves all the fears and hatreds of race prejudice. From time to time the French militarists thrust their thermometers into the seething mass and report cheerfully that the temperature is rising. The French embassy in Washington makes public a statement of the Foreign Office that the nationalistic movement is growing throughout Germany, that the German government is back of it, that an uprising may occur at any time and that the French will hold the German government strictly responsible. And therewith French militarism has its cause of war. An accidental riot anywhere will answer the purpose.

French militarism is today moving toward war just as relentlessly as German militarism was moving toward war in 1914. Now, as then, the enemy does not want war. Now, as then, it is necessary to hammer together an occasion. The Central Empires would have been content with a little war, a triumphal march into Serbia, the burning of a few public buildings, the bombardment of a populous city or two. That would have broken the prestige of the Russian government and might have led to revolution and the break up of the Russian Empire. The French will be content with a little war, a bloodless parading through undefended territory, a few bombs dropped on Berlin, etc. That would break the prestige of the German government, enable the French to set up an independent Rhine Republic and perhaps produce a revolution that would split off South Germany from Prussia. French militarism is not essentially bloodthirsty. Neither was that of Germany in 1914. Militarism is after results and would prefer to get them at a low cost.

Here the parallel ends, for the present. The Germans are trying harder than Serbia did to avoid giving occasion for war. They have no great circle of alliances to support their cause. German militarism encountered its own annihilation instead of the pleasant progress in prestige it had anticipated. French militarism, so far as any mortal eyes can see, can accomplish its will. Unless, indeed, fate has other designs.

If fate has designs of its own they are likely to work themselves out through the revulsion of the peoples against militarism. It is a very brief time since the peoples of Europe had a chance to estimate the infinite mischief that can be wrought by scheming generals, politicians and financiers, ruthless criminals placed by unhappy accident in the control of the destinies of mighty nations. The mass of the population is slow to learn a lesson and quick to forget it. But we have seen proof in Eastern Europe that a population can awaken in the end, to the lasting discomfiture of the cliques that seek to trade the blood of the people for their private gain.

## Due Process of Law in Arkansas

THE Supreme Court has recently handed down an extremely important opinion written by Mr. Justice Holmes with Justices McReynolds and Sutherland dissenting, which raises a most difficult and dubious question with respect to individual rights under the federal Constitution. Five Negroes were convicted and sentenced to death for murder by an Arkansas court. They appealed to a District Federal Court which refused to interfere, but the presiding judge certified that there was probable cause for allowing the appeal. The ground of the petition for the writ is that the proceedings in the state court, although a trial in form, were only a form and that the appellants were hurried to conviction under the pressure of a mob without any regard for their rights and without according to them due process of law. The Supreme Court reversed the order of the District Court and asked the District judge "to find out whether the facts as alleged are true." The story told by Mr. Justice Holmes, based on the statement of the petitioners, is so astonishing and, if true, throws such a glare of light on social conditions in Arkansas that we reproduce it in full.

"The case stated by the petition is as follows, and it will be understood that while we put it in narrative form, we are not affirming the facts to be as stated but only what we must take them to be, as they are admitted by the demurrer: On the night of September 30, 1919, a number of colored people assembled in their church, were attacked and fired upon by a body of white men, and in the disturbance that followed a white man was killed.

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The report of the killing caused great excitement and was followed by the hunting down and shooting of many Negroes, and also by the killing on October 1 of one Clinton Lee, a white man, for whose murder the petitioners were indicted. They seem to have been arrested with many others on the same day. The petitioners say that Lee must have been killed by other whites, but that we leave on one side as what we have to deal with is not the petitioners' innocence or guilt but solely the question whether their constitutional rights have been preserved. They say that their meeting was to employ counsel for protection against extortions practiced upon them by the landowners and that the landowners tried to prevent their effort, but that again we pass by as not directly bearing upon the trial. It should be mentioned, however, that O. S. Bratton, a son of the counsel who is said to have been contemplated and who took part in the argument here, arriving for consultation on October 1, is said to have barely escaped being mobbed; that he was arrested and confined during the month on a charge of murder and on October 31 was indicted for barratry, but later in the day was told that he would be discharged but that he must leave secretly by a closed automobile to take the train at West Helena, four miles away, to avoid being mobbed. It is alleged that the judge of the Court in which the petitioners were tried facilitated the departure and went with Bratton to see him safely off.

"A Committee of Seven was appointed by the Governor in regard to what the committee called the 'insurrection' in the county. The newspapers daily published inflammatory articles. On the 7th a statement by one of the committee was made public to the effect that the present trouble was 'a deliberately planned insurrection of the Negroes against the whites, directed by an organization known as the "Progressive Farmers' and Household Union of America" established for the purpose of banding Negroes together for the killing of white people.' According to the statement the organization was started by a swindler to get money from the blacks.

"Shortly after the arrest of the petitioners a mob marched to the jail for the purpose of lynching them but were prevented by the presence of United States troops and the promise of some of the Committee of Seven and other leading officials that if the mob would refrain, as the petition puts it, they would execute those found guilty in the form of law. The Committee's own statement was that the reason that the people refrained from mob violence was 'that this Committee gave our citizens their solemn promise that the law would be carried out.' According to affidavits of two white men and the colored witnesses on whose testimony the petitioners were convicted, produced by the petitioners since the last decision of the Supreme Court hereafter mentioned, the Committee made good their promise by calling colored witnesses and having them whipped and tortured until they would say what was wanted, among them being the two relied on to prove the petitioners' guilt. However this may be, a grand jury of white men was organized on October 27 with one of the Committee of Seven and, it is alleged, with many of a posse organized to fight the blacks, upon it, and on the morning of the 29th the indictment was returned. On November 3 the petitioners were brought into Court, informed that a certain lawyer was appointed their counsel and were placed on trial before a white jury—blacks being systematically excluded from both grand and petit juries. The Court and neighborhood were thronged with an adverse crowd that threatened the most dangerous consequences to anyone interfering with the desired result. The counsel did not venture to demand delay or a change of venue, to challenge a juryman or to ask for separate trials. He had had no preliminary consultation with the accused, called no witnesses for the defence although they could have been produced, and did not put the defendants on the stand. The trial lasted about three-quarters of an hour and in less than five minutes the jury brought in a verdict of guilty of murder in the first degree. According to the allegations and affidavits there never was a chance for the petitioners to be acquitted; no juryman could have voted for an acquittal and continued to live in Phillips County and if any prisoner by any chance had been acquitted by a jury he could not have escaped the mob.

"The averments as to the prejudice by which the trial was environed have some corroboration in appeals to the Governor, about a year later, earnestly urging him not to interfere with the execution of the petitioners. One came from five members of the Committee of Seven, and stated in addition to what has been quoted heretofore that 'all our citizens are of the opinion that the law should take its course.' Another from a part of the American Legion protests against a contemplated commutation of the sentence of four of the petitioners and repeats that a 'solemn promise was given by the leading citizens of the community that if the guilty parties were not lynched, and let the law take its course, that justice would be done and the majesty of the law upheld.' A meeting of the Helena Rotary Club attended by members representing, as it said, seventy-five of the leading industrial and commercial enterprises of Helena, passed a resolution approving and supporting the action of the American Legion post. The Lions Club of Helena at a meeting attended by members said to represent sixty of the leading industrial and commercial enterprises of the city passed a resolution to the same effect. In May of the same year, a trial of six other Negroes was coming on and it was represented to the Governor by the white citizens and officials of Phillips County that in all probability

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those Negroes would be lynched. It is alleged that in order to appease the mob spirit and in a measure secure the safety of the six the Governor fixed the date for the execution of the petitioners at June 10, 1921, but that the execution was stayed by proceedings in Court; we presume the proceedings before the Chancellor to which we shall advert.

"In Frank v. Mangum, 237 U. S. 309, 335, it was recognized of course that if in fact a trial is dominated by a mob so that there is an actual interference with the course of justice, there is a departure from due process of law; and that 'if the State, supplying no corrective process, carries into execution a judgment of death or imprisonment based upon a verdict thus produced by mob domination, the State deprives the accused of his life or liberty without due process of law.' We assume in accordance with that case that the corrective process supplied by the State may be so adequate that interference by habeas corpus ought not to be allowed. It certainly is true that mere mistakes of law in the course of a trial are not to be corrected in that way. But if the case is that the whole proceeding is a mask—that counsel, jury and judge were swept to the fatal end by an irresistible wave of public passion, and that the State Courts failed to correct the wrong, neither perfection in the machinery for correction nor the possibility that the trial court and counsel saw no other way of avoiding an immediate outbreak of the mob can prevent this Court from securing to the petitioners their constitutional rights.

"In this case a motion for a new trial on the ground alleged in this petition was overruled and upon exceptions and appeal to the Supreme Court the judgment was affirmed. The Supreme Court said that the complaint of discrimination against petitioners by the exclusion of colored men from the jury came too late and by way of answer to the objection that no fair trial could be had in the circumstances, stated that it could not say 'that this must necessarily have been the case'; that eminent counsel was appointed to defend the petitioners, that the trial was had according to law, the jury correctly charged, and the testimony legally sufficient. On June 8, 1921 two days before the date fixed for their execution, a petition for habeas corpus was presented to the Chancellor and he issued the writ and an injunction against the execution of the petitioners; but the Supreme Court of the State held that the Chancellor had no jurisdiction under the state law whatever might be the law of the United States. The present petition perhaps was suggested by the language of the Court: 'What the result would be of an application to a Federal Court we need not inquire.' It was presented to the District Court on September 21. We shall not say more concerning the corrective process afforded to the petitioners than that it does not seem to us sufficient to allow a Judge of the United States to escape the duty of examining the facts for himself when, if true as alleged, they make the trial absolutely void. We have confined the statement to facts admitted by the demurrer. We will not say that they cannot be met, but it appears to us unavoidable that the District Judge should find whether the facts alleged are true and whether they can be explained so far as to leave the state proceedings undisturbed."

# Fundamentals in Education

THE dismay of the President of the Carnegie Foundation for the Advancement of Teaching at the discovery that the United States was spending about a billion dollars a year on public education in the year of our Lord nineteen hundred and twenty is superficially an occasion for mirth. The retort that most naturally occurs to mind is the flippant query: "Ain't it awful?" A billion dollars that might have gone for battle-ships or to increase the army, or for tobacco, or to increase the efficiency of the boot-legging industry, or to supply needed capital for the equipment of railways has gone into teaching millions of children. Think of it! We have been living heedlessly, recklessly in this era of unparalleled educational extravagance. The average citizen has gone about his business without once "viewing with alarm" this evidence of our entrance upon an insidious downward course. If he had known that educational expenditure had risen seven hundred percent while national income had increased only a paltry five hundred percent, he might even, in his thoughtless way, have "pointed with pride" to this proof of interest in our public schools. Now he knows better.

The condition of affairs is made still more ominous by the fact that while the increase in attendance in the elementary schools has about kept pace with the growth of the population, the high school population has increased a thousand-fold. Children aren't leaving school to go into shops, offices, factories and farms at the age of twelve or fourteen anything like as much as they used to do. If this keeps on (and if immigration continues to be restricted) who is going to do the hard, rough and dirty work of this country? Already more and more youth are insisting that they want a college as well as a high school education. Well may we ask, "Where is this thing going to end?" And there is the interest of the tax-payer to consider; it is well known that the greater part of the taxes —direct taxes that is to say—are paid by the better-to-do members of the community, the responsible pillars of society, who have but few children anyway, and many of whom have private schools for the children where they pay tuition besides taxes. The larger part of the parents who send their children to the public schools pay next to no taxes—direct taxes. Truly a parlous state of af-

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fairs, men and brothers. President Pritchett comes none too soon to the rescue.

While such flippancy is justifiable enough, it is not wholly opportune. It is not a matter of levity that many citizens of wealth will agree in their clubs that Mr. Pritchett is thoroughly sound and that many radicals will seize upon these utterances as further proof that the great Foundations represent a conspiracy on the part of capital to secure control of popular education. There is enough class division and mutual suspicion as it is; the flames do not need feeding. But the truly serious thing is that any such discussion as that of the report distracts attention and thought from just the concerns that do demand inquiry and criticism. To say that one of our great troubles is that too many youth go to school, distracts attention from the unsolved problem of better individual adaptation of education to the needs of those who attend. To say that the remedy for the existing congestion of studies and existing uncertainty of aim and method is to contract the curriculum, to confine it to the few things regarded by Messrs. Smith, Jones and Pritchett as "fundamental" is to shirk one of the most difficult intellectual problems that exists today: the development of a curriculum at once rich and unified. Just because there is so much to criticize in existing public education, just because there is force in the charges which the report makes—much more force than novelty—it is serious that haphazard, superficial and inherently impossible remedies should be suggested.

As for the number of children and youth in schools: The report says that "in no country in the world does so large a proportion of the energy of the teaching profession devote itself to the tedious task of lifting ill-prepared children and youths through courses of study from which they gain little or no good." Our acquaintance with the world is not sufficient to permit us such sweeping generalizations, but without any reference to other countries there is a serious problem indicated. It is the problem of discovering studies and methods which will be adapted to the multitude of individual children and youth from all classes of society who now go to school. But to President Pritchett there is no genuine social and intellectual problem in this state of affairs; no question for continued experimentation and hard intellectual work. The whole affair is already diagnosed: the schools are "overcrowded." The remedy is already known: fewer children should go to school.

It is generally admitted that the twelve years of the elementary and secondary schools naturally divide into periods of six-and-six. Theoretically children would finish the first period at the age of twelve. But make it fourteen years of age. We pray the reader to call up in imagination as many actual children as possible of the ages from twelve to fourteen. Then let him imagine that the schooling of these children now terminates. What have they got? How much is it possible for them to get at this age even if teaching were much improved? Then let him ask himself what are the prospects of our future society, we shall not even say democracy, when schooling ends for the great mass of human beings at this stage of maturity? If he thinks at all, he will admit that their future will be determined almost exclusively not by education but by accident. The notion that schooling should end for all but the ablest and most fortunate at twelve or fourteen years of age is a monstrous survival of everything that we as Americans are committed to getting away from. It represents an abdication of social intelligence and nurture; a surrender of society to blind chance with the odds all on the side of those already favored by fortune.

Nevertheless no sensible person will claim that the greater number now in school get from it what they should get. Mr. Pritchett says that the schools "retain" great numbers who are ill-suited for formal study but who have marked ability in other fields of study. This is true. But is the moral that they should be turned loose at an immature age or that schools should adapt themselves to dealing with these other forms of ability as well as with those that manifest themselves in formal study? If this question had even been asked it is safe to say that the entire discussion of the present situation would have been radically other than what is now given.

Schoolmen in the field were long ago forced to recognize, as greater numbers of pupils came to them and came to them from sections of the community not habituated to education, that the old formal studies would not meet the need of large numbers. They began experimenting to find out what studies and what methods would meet it. Mr. Pritchett gains an easy and useless victory by his statement of the idea underlying the enrichment of the curriculum. According to him it is the notion that every child should study a little bit of everything. But as a matter of fact the present undoubted congestion and consequent superficiality of instruction has a totally other source. It is the product of reaching out to discover, with little in the past to give any aid, just what studies and methods will reach the mass of children, as over against those of a group selected from the intellectual class.

No very positive result has been yet achieved. The older type of education has behind it a history of two thousand years. The new type has not succeeded in thirty or forty years in finding a scheme of instruction as well adapted to the individuals of an unselected mass as the older one was to those of a selected class. This is unfortunate, but hardly surprising. But to urge as a solution a return to the "intellectual" standpoint and aim of the older type only indicates that the rudiments

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of the problem have not been grasped. Mr. Pritchett's attack should have been directed not against the schools but against the forces which are changing society. That elementary education should consist of the "fundamentals" is as true as gospel. But whenever we find a person who is quite sure that he already knows the fundamentals of modern life and education, we find also a person who thinks fundamentally in terms of past epochs of history. He thinks he is thinking when he is only railing against the fundamental forces which are making modern society. It does not follow that these forces are good because they are modern. But it does follow that they cannot be ignored; advice to return to the principles of a past age when the forces that made that age are past is futile and barren.

Attempt to act upon the advice merely inures to the advantage of one present class and the disadvantage of another. There is no danger or, if you please, there is no hope of a return to the schooling of even forty years ago. But there is danger that utterances like those of the report will give added force to a movement to curtail the schooling of all but the well-to-do children of the community and to foist upon the schools a narrow trade training so as to keep children in the social stratum of their parents. There is waste enough and confusion enough in our public education. But it has been saved so far from these infinitely greater evils. A transitional and often incoherent society has reflected itself in a transitional and confused education. Coherency and unity are badly needed. But they will not be found in methods which turn present forces into fixed channels of division. We need to discover fundamentals just as we need to spend a good deal more than a billion of dollars upon our schools and to keep many more much longer in schools than we now keep them. These needs require for their fulfillment faith in humanity and faith in inquiry and continued experimentation. Social snobbishness, fear for the pocket of the tax-payer and complacent assurance that fundamentals are already known render only a disservice.

## The Supreme Court Again

ABOUT once in twenty years there is a public agitation of greater or less extent to take from the Supreme Court the power to declare acts of Congress unconstitutional. Perhaps because of the great prestige of the court, or because more dramatic issues distract attention, or because the court never answers back, the agitation blows itself out and the court goes on. Certainly since the first great effort to subordinate the court in the impeachment of Justice Chase there has been no serious effort to curtail its powers.

The agitation is now renewed chiefly because chance has given Mr. Harding the opportunity of appointing a majority of the court and determining its complexion for a decade. It is not strange that the political forces which knocked loudly on the door at the last election should find distasteful the thought of the dead hand acting through the court. Nor can we regard the idea that the court exercises power of vast political significance as the outgrowth of original sin when we recollect that the present Chief Justice himself urged the election of Mr. Harding on the ground of the appointments which the next President would have the opportunity to make.

On this occasion the agitation is centering about a bill introduced into the Senate by Mr. Borah and into the House by Mr. Woodruff to the effect that except in those cases where the jurisdiction of the Supreme Court is expressly conferred by the Constitution—cases in which representatives of foreign nations or the states themselves are parties—it shall require the concurrence of seven members of the court to declare an act of Congress unconstitutional. A constitutional amendment has also been proposed by Mr. Frear giving Congress the power to fix the number of judges who must concur in such a decision and the power to recall any judge or judicial decision of the Supreme Court.

Mr. Borah's bill is so clearly unconstitutional that we suspect he introduced it more with the thought of keeping the issue alive than the hope of relieving the pain caused by five to four decisions, as he states in the Congressional Record. The Constitution vests the judicial power of the United States in a Supreme Court and such other courts as Congress shall establish. The judicial power extends to all cases arising under the Constitution, and quite apart from the question of historical justification it has been accepted for a century as within the scope of the judicial power to determine whether or not an act of Congress is in conformity with the Constitution. The Constitution further provides that except for the cases where states or representatives of foreign nations are parties the Supreme Court shall have such appellate jurisdiction subject to such regulations as Congress may direct. It is as an exercise of the power of Congress over the appellate jurisdiction of the court that Mr. Borah supports his bill.

But Mr. Borah forgets that while Congress may limit the appellate jurisdiction of the court, and perhaps even deny it any appellate jurisdiction whatever, Congress cannot when once it has conferred jurisdiction upon the Supreme Court, or any other court, direct it as to how it shall exercise its judicial power. This is precisely what Mr. Borah is attempting to do. For if the Supreme Court divides six to three in favor of affirming or reversing the judgment of a lower court on the ground that an act of Congress involved in the case is unconstitutional, under Mr. Borah's bill

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this judgment cannot be entered because seven judges do not concur. Presumably the Borah bill requires that a judgment based upon the decision that the law is constitutional must be entered and therefore makes it the duty of the court to exercise its judicial power in a manner contrary to the court's decision, but as ordered by Congress.

The power to decide a case arising under the Constitution is vested by the Constitution in the court to which jurisdiction is given. Congress is given power to determine what court that shall be. But Congress has no power to take from the court the determination of any case because the judges have not reached a certain degree of unanimity, and direct what the determination of it shall be. Such an attempt is an unequivocal interference with the judicial power and beyond the powers delegated by the Constitution to Congress.

Mr. Borah argues that because Congress has provided the number of justices which shall constitute a quorum, it may determine the number which shall concur to reach a certain decision. It is by no means certain that Congress has the power to determine what shall be a quorum of the court. But if it has, it is as an incident of the power given to Congress to determine the number of justices on the court. Having fixed that number, it may be argued, Congress may properly require a certain proportion of the justices to be present, or else its power to determine the numerical membership of the court may be frustrated. But such a requirement is by no conceivable process of reasoning analogous to an attempt by Congress to direct a court how it shall dispose of a case properly before it. This as we have said is a direct and unconstitutional interference with the exercise of the judicial power.

On the broader question whether it is advisable to limit the great power of the judiciary over legislation, opinions may reasonably differ. If Mr. Borah's bill were in the form of a constitutional amendment—extended as it might properly be to state legislation challenged as violative of the due process of law clause—we should be inclined to feel that it was merely writing into the Constitution a doctrine which the court itself has announced and often honored in the breach: that every doubt shall be resolved in favor of the constitutionality of a law and that no law shall be declared unconstitutional which is not clearly so.

Surely the fact that three or four judges of the court consider the law constitutional should raise enough doubt in the minds of their brethren to bring the rule into operation. The fact is, however, that it does not, and the capacity to see any virtue in a view which opposes one's deep-seated convictions is so rare that one may well doubt whether the rule is ever capable of being imposed by the court as a restraint upon its own action.

The ideal would be the rule so imposed, but danger lies in the period of waiting for this extent of judicial education. It is becoming generally believed that a great number of constitutional decisions turn upon the court's view of what is best for the country, upon questions of degree or upon what are believed to be economic facts, and it is a great strain upon the political capacity of the country to have legislation declared invalid because of views which four members of the court and "half their fellow countrymen believe to be wrong." The prestige of the court is very great and the country will accept a great deal of guidance from it, but a house divided against itself cannot stand. The danger which the court runs is in provoking some such sweeping impairment of judicial independence as that proposed by Mr. Frear. We can see little harm and much virtue in a constitutional requirement that the court act with some degree of unanimity on questions where it, itself, has said that it will not act unless the case is clear.

To be sure such an amendment might result in more seven to two decisions against legislation for reasons which Mr. Hennessy might have elicited by asking Mr. Dooley why there were never more than four members of the Supreme Court dissenting. But this is in the future.

Mr. Frear's sweeping proposals for the recall of the judges and the decisions of the court go far beyond the justification of experience. The debate becomes a conflict of speculation and political dogma which adds little to Dr. Johnson's famous reply.

"Sir," said Boswell—or words to this effect—"when I reflect upon the ills which the amatory instincts bring upon the human race, I am led to conclude that they far outweigh the useful purposes served by them."

"Sir," replied the Doctor, "I do not agree with you." And there the matter rests.

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EDITORS

HERBERT CROLY — ROBERT MORSS LOVETT
ALVIN JOHNSON — STARK YOUNG
PHILIP LITTELL — ROBERT LITTELL

CONTRIBUTING EDITORS

JANE ADDAMS — JOHN DEWEY
BRUCE BLIVEN — DAVID FRIDAY
H. N. BRAILSFORD — R. H. TAWNEY
LEO WOLMAN

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# The Progressives

IT is in order, now that Congress has adjourned, to ask whether the Progressives merely marched up the hill and marched down again. A fairly strong prima facie case could be made out that they first demonstrated against the Old Guard and next demonstrated against themselves, the latter demonstration being their failure to offer the country a comprehensive and concrete program in place of the wobbly, hit or miss program presented by the administration of President Harding and the administration leaders in Congress.

There was the November election. It gave powerful momentum to the Progressive cause, far more than the Progressives really expected. There was the triumphant and expectant Conference of Progressives in Washington about three weeks later, on December 1st and 2nd. And then there was what? Mr. Darling sent broadcast some weeks ago a cartoon that many observers thought penetrating and sardonically revealing. It was one of his serial efforts. First came a large company of heralds, joyously tooting for the attention of the multitude. Next came the armored and panoplied conquerors, chests bulging, heads loftily tilted. At the tail end of this spectacle of lusty might, dragging at the wheels of the conquerors' chariot, was one decrepit prisoner, representing the proposal to change the date of the beginning of congressional sessions, and the date of the inauguration of the President.

Enough truth was in that cartoon to make some of the Progressives wince. Senator Norris, Republican of Nebraska, put through the Senate his proposal for a constitutional amendment eliminating lame-duck Congresses, and moving the date of inaugurations from March 4th to the third Monday in January, largely because the Old Guard leaders, wrestling with the ship subsidy and out of breath from their efforts, thought to get him and his scheme off their backs. They supposed the House would smother it, and were surprised to find evidence of support from conservative sections of the House. In the end the House killed the resolution. Beyond that (partially) successful effort for a reform distinctly more important than the country has seemed to realize, since it would prevent such gross improprieties as Mr. Harding's insistent efforts to have this discredited Congress pass his subsidy bill, and also would remove justification for the essentially dishonest parliamentary filibuster, there is little to which the Progressives may lay claim.

They are only partly responsible for the rural credits legislation. Republicans and Democrats not affiliated with the Progressive movement contributed to the success of the legislation. Perhaps they were moved to do so by the November revelation of the mood of the farmers and by fear that unless the farmers were placated they would go over to the Progressives in vast numbers, but it is useless to go into such speculation. Conservatives did aid in passing the legislation. The Progressives introduced through Senator Brookhart and Representative Frear bills to lay severe retroactive taxes on undistributed profits of corporations, for the purpose of taking part of the huge sums that great concerns have turned over to their stockholders in non-taxable stock dividends or are holding in their treasuries for the benefit of stockholders, safe from the high surtaxes on individual incomes that would be collected were the earnings distributed in cash dividends. But no serious effort was made to pass the bills, and it is not certain they will be the formal Progressive proposal of that character in the next Congress. The ship subsidy went down in a fight in which Progressive senators were leaders, but they divided credit with old line Democrats. The oil investigation by Senator La Follette's committee developed important facts, but no use was made of them during the session.

Substantially, that is the record. What does it mean? Is it true that the Progressives marched up the hill and marched down again? I do not think so. Their leaders have played shrewd politics from the beginning. Before their conference was held on December 1st and 2nd the prevailing thought was that the Progressives would be split asunder by the temperaments and ambitions of the more prominent members of the group. La Follette, one of the most capable practical politicians in the country, avoided the danger by limiting the the conference to organization and to discussion of generalities. He left specific questions to committees, that were to be chosen from all divisions of the Progressive group, with the understanding that formulation of definite policies would follow the reports of the committees. The method in its essence was that of the old political organizations, evolved from much practical experience. It carried the minimum danger of dissension due to pride in opinion publicly expressed, and the maximum of opportunity for unity and solidity resulting from quiet exchange of opinion. It made for work, rather than speeches. The same long-headedness, the same procedure looking to work rather than speeches has governed since the December conference. The first danger of going on the rocks of personal ambition averted, the necessity was to escape the danger of disgusting the country by indecent exposure of ill-formed, half-baked schemes for reform, futilely offered in the rush and confusion of a short session. The theory of the lead-

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ers was that their committees could not properly prepare measures during the short session of Congress beginning in December, and that they could not hope to pass any considerable part of a program in any event. If they attempted to do their work during the short session, they would be deprived of the judgment of the new men elected last fall, and of their votes.

The plan was and is to use the long vacation of Congress in study of the questions on which it is hoped to legislate, and in careful preparation of measures after the study. It is hoped in that way to formulate legislation that will command the second thought approval of Progressives and liberals in and out of Congress next winter. The plan may go awry. It does not dispose of obvious and inherent difficulties that beset the Progressives. The fact remains that they lack the discipline the old parties have in some measure even in their most disordered hours. No tradition of solidarity, of teamwork, lodges in the background of the Progressive group, drawn from various stocks in each of the old parties and from the radical movement of the Northwest. And all of the members of the group in their very natures have more than the normal instinct for insurgence, else they would not be in the group. Still, the fact that it may be found impossible for the group to appear in the next Congress with a well considered program having virtually united support does not depreciate the value of the plan, when the alternative of hasty action in this Congress is remembered. It clearly was wise generalship. And the willingness of the Progressives as a whole to follow the plan, instead of indulging the taste for the spectacular they are supposed to have, argues a certain steadiness that may help in the making of measures intellectually respectable, and in the forming of a united support for them.

Transportation will probably be the Progressives' chief interest in the next Congress. It is very likely to be the chief issue in the session. Both liberals and conservatives expect that, and both expect the Transportation Act to be the object of powerful assault. Conservatives are not blind to the fact that Senator McLean, of Connecticut, was the only Republican on the Interstate Commerce Committee, supporting the Transportation Act and running for reelection last fall, who was successful. The defeat of Townsend of Michigan, Poindexter of Washington, Kellogg of Minnesota, and Frelinghuysen of New Jersey, is not attributed entirely to causes apart from transportation. And the defeat in Ohio of Pomerene, perhaps the strongest Democratic supporter of the act on the Committee, plainly was due in large part to the transportation question, while La Follette's tremendous victory in Wisconsin equally plainly was due in part to his open attacks on the law. Brookhart's victory in Iowa was in line, for he was nominated against the will of Senator Cummins, principal author of the act, and he made transportation one of his main issues.

Senator La Follette is chairman of a committee named by the Progressives to deal with transportation. He is of course the expert member of the Progressive group on the subject, and one of the most thoroughly informed members of Congress. He has been in contact with the transportation question since the early stages of governmental regulation. He has some other advantages in dealing with the subject. When Townsend of Michigan retires on March 4th La Follette will rank on the Interstate Commerce Committee next to Senator Cummins, chairman, who is seventy-three years old. It is significant that La Follette is more interested in this rank on the Interstate Committee than in the similar rank he will have after March 4th on the great Finance Committee of the Senate. Also, La Follette has a better, surer relation with labor than any other member of the Progressive group. And a committee of labor leaders, representing the crafts of the railway department of the American Federation of Labor and the Brotherhood crafts, is now working in Washington on changes to be urged in the law in the next session of Congress.

It remains to be seen whether sentiment in the great agricultural districts of the West and South will be satisfied with the rural credits legislation passed in this session, especially with the changes made in the Federal Reserve Act to meet the farmers' needs, the most important one being the extension from six to nine months of the maximum maturity of agricultural paper received into the Federal Reserve system. If the agricultural districts are satisfied with the distinct rural credits machinery set up, they may want further changes in the Federal Reserve system to prevent recurrence of abuses the farmers' spokesmen allege to have appeared. The appointment of two so-called dirt farmers to the Federal Reserve Board may not be taken as sufficient protection. Senator Owen, Democrat of Oklahoma, who helped frame the Federal Reserve Act and has been one of the critics of its administration, is chairman of a committee named by the Progressives to deal with the whole question of credits. He is the ranking Democrat on the Senate Banking and Currency Committee, and probably is as well equipped to deal with the subjects for the Progressives as La Follette is to guide their transportation committee.

Senator Norris is chairman of a committee on agriculture, which may overlap at some points the Owen committee on credits. A committee on labor is headed by Representative J. D. Beck of Wisconsin, a Republican. One on taxation is headed by Representative Ross A. Collins of Mississippi, a Democrat, and one on natural resources by Representative John J. McSwain of South Carolina, a Democrat. The last committee, the name of which has the ring of a round, meaningless gen-

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erality, may be prolific as a troublemaker for the Old Guard. It is expected to have something to say about coal. More likely to be troublesome than that, however, is the prospect that it will make use of the data gathered by the La Follette oil investigating committee. The consumption of oil and the danger of exhaustion of American oil resources on the one hand, and the consumers' price for oil and the plethoric profits of the Standard Oil companies on the other hand certainly offer the committee likely material for a public appeal in dealing with the La Follette investigation's data.

Such and so are the well laid plans. It should be noted that there are observers, a few and not very strong of voice, who think that by the time the Progressives present their program of reforms the farmers and everybody else will be so far advanced on the road to prosperity that they will forget the troubles that stirred them profoundly last November. The few who hold this opinion think the Progressives may appear next December dressed up, but with no place to go. As to that we shall see what we shall see.

JOHN W. OWENS.

# Germany's State of Mind

ONE evening in January, just as the French were commencing their advance upon the Ruhr, I decided on the opera. It happened to be a performance of Die Meistersinger. During the first four hours—there are nearly six in all as it is played in Berlin—everything was serene. The audience was as faultlessly in order as ever. Between the acts neat circles of people with sandwiches swept slowly around the foyer, always to the right and in step. There was no display of clothes or jewels. The effects of years of rigid economy were in evidence. There was no jesting, no exuberance, nothing but the completest dignity of behavior. Solemnity, the outward expression of chronic melancholy, is the prevailing mood in Berlin. The opera audience seemed to be simply true to type. Tonight, however, I knew that each orderly spectator had something more than his customary chain of worries to disturb him. Intelligence had just reached Berlin that the French military invasion was under way, bringing to the distressed population of Germany new hardships, new indignities and new injustice. Even in the opera I felt that weary nerves and muscles would like an opportunity to reject their load, if only for a moment, in some irrational outburst. My opinion was correct, for in the last act of the opera the purging outburst came. If the anti-Wagner hysteria is not still upon the reader he may remember Hans Sachs and his eloquent caution against the perils of an invasion by a foreign folk and foreign culture. It was at this point in the opera that the audience broke loose in a torrent of applause which suspended the performance in its violence. Never before in the Berlin opera have the extraneous emotions of the audience interrupted the sacred progress of a Wagnerian performance.

The outburst at the opera was only the first that I saw. With the consummation of the French Gewaltpolitik a veritable orgy of protest broke out in Germany. Popular indignation was at fever height. French and Belgian tenants were everywhere spilled bag and baggage into the street; societies of landlords and hotel proprietors passed resolutions to exclude tenants of the unpopular nationalities in the future. Organizations of merchants established a boycott of French and Belgian goods and of French and Belgian customers. Bands of youths gathered in Hannover and Münster demanding—fortunately without success—equipment and the right to fight. Public dancing was forbidden by law in Berlin, and an eleven o'clock closing for cabarets and restaurants made effective. Theatres and operas for the first time have banned French pieces from the stage.

On January twelfth, the National Day of Mourning, I was in Hamburg. There I looked in at the music hall where Muck was conducting his weekly concert. Practically no audience was there. I looked into Saint Peter's evangelical church and found it overfilled with ten thousand people. Outside the church in the rain hundreds stood during the service. Simultaneously in Berlin a half a million people gathered on the Königsplatz for a formal protest. They sang the stirring Netherland Hymn of Praise, infinitely accentuating the final words, "Lord, make us free," by stretching a sea of arms upward in supplication.

It should be no strain for the reader to sympathize with the German state of mind as manifested in these protests. It is a matter of common experience that righteous outbursts confer a sense of relief and of moral integrity upon the outraged. The German people have naturally used to the limit this opportunity of expressing their festering hate and bitterness. By elaborating upon the national insult they have restored a measure of self-respect. The occupation of the Ruhr has given them at last a just cause to lop off the tentacles of the Treaty, and to feel themselves the injured innocent. The universal sense of liberation from the bonds of the Treaty has been responsible for the creation of a new mental attitude, and a redirection of energies in the search for salvation.

Furthermore, protesting in common has served

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to bring to the minds of the Germans a vivid awareness of the common cause. An indignity was visited upon the nation, upon all Germans; there is accordingly a common danger and a common enemy. Thus has been created a united front of moral defence. The strife between the seven factions in the Reichstag has become, momentarily at least, silent; France, as usual blind to the outcome, has re-precipitated the crystals of German nationalism. Upon each of the poster rotundas in Berlin is a flaming green bulletin issued by Ebert and Cuno announcing that the Treaty has been violated by the French in their military invasion, and exhorting the Germans now as never before to stand fast, and especially to stand together. Everywhere there is commendation for the workers of the Ruhr who refuse to work under conditions of military oppression. Thyssen is the hero of the Ruhr. According to his example the people are determined to hold out, and to let the French continue their biting on granite.

At the present time the people believe strongly that if there is any solution to the present dilemma it must be of indigenous origin. Ludendorff spoke the nation's mind: "In the whole world we have not a single friend excepting ourselves." No good is expected from international mixings. Germany has never gained anything from them. There is ardent propaganda against alliance with Russia. Better to have no army than a Red army. Everywhere is the ideal of self-reliance. Posters, issued by eighteen affiliated societies whose purposes are essentially pacifistic, warn especially against foolish acts which might precipitate a one-sided war and give France a belated justification for her outrageous policy.

The Germans at the moment are not aware, any more than the Americans are, that the solution must finally come through an act initiated by the government of the United States. If you attempt to explain to a German that America always acts slowly, that she is far away and, after all, doesn't fully understand, you are interrupted in your apologies. America wasn't too far away to devise the Fourteen Points and to put a seal upon the Treaty, which things she likewise didn't understand. And what other effect, you are asked, did the removal of a handful of American troops have except to let in a horde of French? No, those who relied upon America as well as those who relied upon England have built on sand. This scepticism is charged with not one iota of hatred. The German people do not, and never did, hate Americans.

If there were anything to hope from a general return to monarchism in Germany, there might in the present crisis be such a return. From all nationalistic parties, however, lamentations are raised that Germany is without an army, without equipment, without a leader, and without honor. The inevitable failure of the right to supply a solution may be expected reflexively to strengthen the position of the left; one cannot now prophesy to what extent. It is possible that economic and political despair may direct the covetous glances of a greater and greater portion of the population toward Russia. At the present moment, however, the long sought alliance of the communists seems to be no nearer. The large majority of the population, united in their bitterness toward France, are so far willing to try out to the extent of their staying power the policy of passive resistance.

The repudiation of the Treaty, the common indignation and the re-fusion of interests are new and, at the moment, dominant mental contests generated in the German mind by the French invasion. Still, in the consciousness of the individual German the economic worry will in the long run retain its primacy. It is to be questioned whether the desire for national honor has, even in the life of a German, the potency of the drive of self-preservation. Under the conditions of prolonged suffering, considerations of political integrity, culture and even of honor tend to disappear. Hunger is not incompatible with bitterness and hate, but it conduces in no way to effective combative organization. With a watch in hand one can count the hours as the closing down of industries and heating plants, and the fall in the purchasing power of the mark summon forth the terror of cold and hunger, and with them an increasing strain upon the instincts of the individual German for law and order.

Certain tendencies of decay which have been in evidence in Germany since the war are inevitably accentuated by the new pressure which rests upon the people. The intellectual life, through the afflictions of poverty upon teachers, universities and projects of research, has been threatened with a period of stagnation or regression. Religious life has been shaken from the foundations. The state evangelical church has rapidly lost its hold; mystical sects—both Christian and non-Christian—are on the increase. Scepticism and Spenglerism are rampant. The well-ordered emotional life of the people, so long lashed by the vicissitudes of war and an insufferable peace, has suffered an inevitable demoralization.

A casual observer in Germany would say that this picture of the psychological tendencies has been overdrawn. Outwardly people seem to be living pretty much as usual, pursuing their daily routine, getting married and dying. To be sure, they get married less frequently and die more frequently than formerly; but on the whole one does not have thrust upon him an overwhelming conviction of immanent chaos. Our casual observer has noticed certain inhibitive forces in the process of disruption, which, fortunately, are still effective. In the mental life of the German there is a tenacity which resists demoralization. The common man finds an anchorage in his well-developed

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habits of discipline, in his devotion to the brilliant national traditions, the intellectual finds anchorage in his standards of culture and scholarship. It is only a question of how long these factors—which after all are simply attitudes of the past persisting through habit—can supply effective resistance against the onslaught of the disrupting forces. If through the present crisis the German people can retain their mental equilibrium, we shall know as never before the significance of the factor of fortitude in the Teutonic temperament. And if by any chance they are able to turn to their advantage the adversities of today, then we shall know the extent of their constructive genius. What is more, the psychologists will have to move forward indefinitely the line where accumulated suffering is supposed to annihilate established habits of order and the capacity for new and intricate adaptations.

GORDON ALLPORT.

Berlin.

# The Barnes Foundation

THE Commonwealth of Pennsylvania has granted a charter as an educational institution to the Barnes Foundation. The purposes as stated in the charter are the "Advancement of education and the appreciation of the fine arts," etc. The assets consist of a twelve acre park located just outside the city limits of Philadelphia, at Merion, Montgomery County, Pennsylvania, an art gallery and administration building now in course of erection, a collection of over seven hundred paintings, and an endowment more than sufficient to carry out in perpetuity the stated purposes of the institution. The park is an arboretum established forty-two years ago by Joseph Lapsley Wilson and contains one of the finest collections of rare and specimen trees in America. The corner stones of the collection of paintings are more than one hundred examples by Renoir and about fifty by Cézanne, with numerous paintings by Daumier, Manet, Sisley, Puvis de Chavannes, Van Gogh, Gauguin and other men of the end of the nineteenth century. Of the present century Frenchmen, there are represented Picasso, with twenty-two examples, Matisse with twelve, and among the younger generation represented are Modigliani, Utrillo, Soutine, Kisling, Derain, Pascin, Lipchitz, Zadkine, Perdriat, Lagut, Laurencin and other painters and sculptors of that independent group. There are more than a hundred paintings by the Americans—Glackens, Prendergast, Demuth, Maurer, Kuehne, Lawson, Hartley. It will be seen, therefore, that the collection embodies achievements and tendencies in the plastic arts from 1870 to the present day. No dealer, expert, or similar person has been consulted in the choice of any of the works in the collection.

We believe that the most valuable asset of the Foundation is the twenty years' experience in the working out of a community plan which is basically educational in the modern conception of that term. By that is meant education as a means of growth, of direction, of personal development cooperated in by a group of people who work for their livelihood in a corporation engaged in the manufacture of chemicals originated by themselves. There are nine principals in the group—five white women, three colored men, and one white man. The last mentioned is the only one with a university degree; three of the women are graduates of a small-town high school; the other two women and two of the colored men had only primary public school training, and the other colored man, now at middle age, cannot read and can write only to the extent of signing his name.

The business was started in 1902 with only enough capital to last about three months, if luck had gone against us. We never had a salesman or traveling representative and we do not advertise in the technical journals, because we found in the psychology of William James principles which enabled us to dispense with those luxuries. From his and similar books we developed a business plan which in two years was financially profitable. In 1908 we reorganized the business on a cooperative basis worked out during the next four years on lines that were merely adaptations of the principles of psychology to our business, educational and social needs in their larger conception. A good part of those four years was consumed in efforts to unify to a common purpose the diverging temperaments of the principals. We were fortunate in having as universals a spirit of adventure and a common respect for the personality of each individual. The business never had a boss and has never needed one, for each participant had evolved his or her own method of doing a particular job in a way that fitted into the common needs. We found that no business day need be longer than six hours of actual work, but we had to concede to the tradition that eight hours at the place of business were necessary. That compelled us to face the problem of utilization of leisure and it was natural that we should turn to the men in whose writings we were genuinely interested, and whose ideas had been good money-makers for us. We started a seminar with one of the women, who had a flair for psychology, at the head of it. Two years were devoted to William James, starting with his Talks to Teachers, then progressing through his Principles of Psychology, Pragmatism, Varieties of Religious Experience, most of which was found comparatively easy going. We foundered on his Radical Empiricism. About that time Dewey's How We Think was published and it brought a means of clarifying and adapting what we had read to the needs of most of the other employees. The seminars interested a number of people outside of the

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business, and additional meetings were conducted at the homes of two of the women principals. Bertrand Russell won their hearts with his Free Man's Worship and Santayana was soon in the ascendancy with his Sense of Beauty, the pretty thorough study of which was responsible for our trying to learn something about painting by hanging in our building good examples of the work of Glackens, Lawson and Prendergast. This interest grew and for about ten years we have had constantly in the building modern pictures that would stand examination in the light of what we learned from Santayana's Sense of Beauty, his Reason in Art and from other books like Roger Fry's Vision and Design and Turner's Appreciation of Painting. There have been rarely less than one hundred pictures on view at all times; they are a subject of discussion with most of the workers, and are sold at cost price to those employees who express a desire to own them. As a result of this venture, four of the group have collections of modern pictures varying in number from a few to several hundred.

The seminars have been continued and extended over a period of nine years. One or more members of the group have been enrolled frequently in the post-graduate courses of nearby universities, notably Pennsylvania and Columbia. What is studied there is adapted to use in the private seminars. In that way we have gone over the works of MacDougall, Stout, Ibsen, Tolstoy, Nietzsche, Mill, Hobson and especially the books of Dewey, Santayana and Bertrand Russell. We feel that in general literature we discovered Dorothy Richardson, Norman Douglas, Sherwood Anderson, Francis Hackett, H. L. Mencken and Havelock Ellis, whose books, with other current fiction, we have in a circulating library which is very active. We do not mean to convey the impression that we have developed a crowd of savants, or art connoisseurs, but we are sure that we have stirred an intelligent interest in spiritual things created by living people and in the writings of gifted thinkers, which has been the means of stimulating business life and affording a sensible use of leisure in a class of people to whom such doors are usually locked.

We claim no originality for the methods employed because they are described almost in detail in the works of William James, John Dewey, George Santayana and a few others. What we believe our experiment indicates is that great things of creation, in art, literature and thinking, can be resolved to fundamentals of human nature and in simple form be so presented that they may be grasped by plain, even illiterate, people to the point of the particular person's capacity. It is a question of stimulating the individual's interest by a favorable environment, by leaving him free to get his own reaction uninfluenced by external pressure —and here the question becomes one of method. We look upon nothing in our experiment as definitely proved, and we offer no formula and least of all are we interested in reform or edification. We believe that the material we had to work upon was fairly representative of industrial life. We succeeded to a certain extent, at least, in developing an environment which attracted by its own appeal a number of people whose time out of business hours had been a desolate waste. Of course, we encountered the inertia ineradicably fixed in some, but even that was to a considerable extent favorably affected. There has been no attempt at regimentation and no suggestions or criticisms concerning what any of our workers do outside of business hours. One of our colored men was a popular professional boxer who never took even a day off to train during all the years; yet he received more in one night for six rounds of boxing than we gave him for six days of working. We put William James and John Dewey into his boxing and he fought his way up to a bout with the title-holder of his class for the championship, but lost. Another of our colored men had a conflict between his desire to become a chauffeur and his liking for the job he held with us. We gave him the privilege of oiling, adjusting and tinkering with one of our automobiles, and his self became integrated. One of our mature women employees has so much energy that she was a disturbing factor in the placid job of labeling and wrapping bottles. We removed the contention by placing her in charge of the stock and shipping where a new motor coordination is necessary nearly every minute. She uses her leisure in mothering the younger girls in general and in telling them in her way what we tried to tell her in our way about the subjects of the seminars. The above instances illustrate methods which take into account, first of all, the individual's own self.

In our work we have expected no Utopia and no millennium; so we have not been disappointed. But the results have been sufficiently encouraging to justify the attempt to continue the experiment on a larger scale through the medium of the Foundation. The resources we have are of vital importance to many people if we are to judge by the number of people, with and without college affiliations, who have visited the collections of paintings for the past ten years. We believe that paintings, trees or any objects representing genuine human values can be made more interesting, more vital, more valuable if they are studied according to methods which it has been the great achievement of a few educators to put into such shape that they can be used by teaching organizations. We hope to effect some working plan with colleges and universities in which the scientific approach to the study of our resources shall be made a part of the curriculum. In that way what has been a vital experience to a few may, we believe, be repeated and amplified in connection with educational genius and equipment not possessed by our small organization. To those who are sensitive to color, design, drawing, to beauty in any object, our resources

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have never failed to be a means of joy and of growth. We have seen aesthetic capacity developed in many people in whom it was latent to become a factor operative in their daily lives. The difficulty has been to persuade teachers and students, who have been drilled in the traditions that only the old in art is worthy of study, to approach the subject with an open mind. Such an attitude is responsible for the academism which is fatal to the free flowering of mind and spirit. What our experience has indicated is that the only way to supplant academism by personal experience is to take into account those human values which are practically universal, and to work out a systematic means of studying and refining and developing those values. Fortunately, the methods of doing that great work are stated in the writings of the men whose contributions to education give America supremacy in that field.

ALBERT C. BARNES.

# A Quaker in Main Street

A CERTAIN eminent man went to Russia last year at the height of the famine to investigate and report conditions. He went through the country in a Government Special with every comfort and luxury the Soviets could afford. It was cold in Russia, and he did not leave that comfortable car; he made his observations from the windows. In the famine districts Quaker relief workers came to the train and begged him to go with them through their desolate and starving villages, and let them show him the actual situation. He did not care to go. There was after all danger of typhus, danger of cholera. He could see quite enough from the car windows. He came home to America and gave a very cheerful report.

We in America have seen the Russian famine from a very comfortable and much more remote car window. We have seen it from the train de luxe of our own national comfort and prosperity. Shall we get out and risk a personally conducted tour with one of these Quakers? We risk only our mental comfort, after all; there is no danger of typhus at this distance.

Murray S. Kenworthy, until last summer Chief of the Russian Unit of the American Friends Service Committee, is going about the country with the story of what he saw in Russia. He works hard, hurrying from city to city; speaking as many times a day as he can get a hearing. He may well hurry, for it is time and death he is racing with. He knows that in his province at least the famine is not broken, that conditions are little better than they were last year. And the Quakers have not enough money to keep even the people they are feeding now alive till harvest. Suppose we listen to him as he spoke the other day at a prominent women's club on one of our Main Streets.

It is the weekly luncheon, and some of the members are a little vague about what they have come to hear. "The Russian Famine, my dear?" one of the ladies flutters, "Isn't that rather gruesome? I thought it was Russian *Folk-songs*, this week. And I made such an effort to come! I must have got it mixed up with the *Persian* Folk-songs in the lecture the other day. Charming, wasn't it? *So* unusual! . . . Well, well, I suppose there still is a famine over there, but isn't it mostly over? They say the Soviets are exporting grain. . . . But perhaps we ought to hear about it."

Kenworthy begins colorlessly, conventionally enough. His first few sentences might have been spoken by anyone. Perhaps you are a bit disappointed. He is in no way picturesque. He is a tall, weather-beaten man, hard-bitten, very direct and simple, with none of the arts and graces of speech-making, no gifts of personality to help him tell his story; only his stark sincerity, the nakedness of his terrible knowledge.

And then, subtly, you realize that the atmosphere has changed; it has become electric, tense, charged with an unknown voltage. He is speaking about Russia. He is saying what he came to say. Like a knife-edge that message rips through the husks of common manners, the trappings of common speech, cuts that smug atmosphere to the quick of your very soul. It is not a man speaking at all. Something elemental, appalling, speaks through him; it is the cry of Russia's agony you hear in that level voice. He speaks quietly of unspeakable things. He does not comment or color or sentimentalize. He lets the facts speak.

You think, perhaps, you knew something about Russia; you have read things about the famine. Never anything like this. It is a transfer of experience. "I suppose you never heard the cry of a starving child," says the Quaker. You have heard it after Kenworthy speaks; God forgive you if you ever forget it. The man has stepped aside, self-forgetful, forgotten. He bids you look for yourself into the famine districts, into that ghastly inferno of suffering and desolation and heroic fortitude. No art could paint that picture like the naked immediacy of this speech. And you look on in a kind of numbed horror, seeing what he has seen. What is it you see through those haunted eyes of his?

Samara, where whole villages died. A country of barren steppes, timberless, snowbound. A temperature 40 to 55 degrees below zero. No food but grass bread, no fuel but stable dung. Whole villages starving; the dead lying in the streets where they fell, or heaped "like cord-wood" in the churchyard—stripped of their last rag always, "for the dead do not need that which the living must have." Parents tie their famished children when they leave them at home alone, lest they do one another an injury. For in that country cannibalism is no strange thing; children have been

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known to set upon their playmates; even today there are people driven by hunger who keep alive on human flesh.

In the orphan homes there is no bedding or blankets; the children, dressed most of them only in little shirts, huddle together for warmth on the bare slats or boards. In some they lie on the floor so thick that a visitor entering must step over the little bodies. Homes crowded to suffocation, crowded so that starving and freezing babies must be turned away. Those who bring them unload the sledges, leave the children lying in the snow before the doors and drive off. There is no chance of life for them at home; here someone may still have pity. . . . In the courtyards are piled the dead children. Sledges drive around, collecting them in the mornings, but often the sledges are overladen and they may be left lying there for days or weeks. *There are no living children under three years.*

Whom to save and whom to leave to die? With rations but for a fraction of the starving people, that is the terrible decision that the relief missions must face. "What would *you* do?" he puts the problem to us. "Should we save the strongest, the young people most capable of carrying on the race, of ploughing and sowing, letting the old people and the children die? Should we save the children only—thus multiplying the already huge problem of an orphan population? If we save the children alone, who is to care for them? Single families? Selected villages?" At last the children are chosen, since without the American food they are most sure to die. Old people are tougher; they must take their chance.

And then the other side, the nameless heroisms! Those peasant fathers and mothers who died before relief could reach them, leaving food enough in the house so that the children might hold out till the Quakers came. Those starving sledge-drivers, scarcely able to stand, who brought the children's food safe to its destination. Those bandits who would not touch the Quaker stores, desperate men as they were, when they understood that America had sent them to the starving Russian children. "Can we ask more of Russia?" Of the steadfast heroism of the relief workers we hear nothing. Only from a casual parenthesis, "That day I caught the typhus," do we gather how lightly men and women hold their lives to whom typhus is, as it was to this man, all in the day's work.

"There are whole regions," he ends, "where no relief has ever penetrated. In one village we knew of, the people last fall, feeling they could not live till spring, went out to the churchyard and dug their own graves, knowing that no friends of theirs would be strong enough when the time came to dig them. We have had recent orders to extend our feeding to that district—but there is not enough food or money to carry those people through till harvest."

Abruptly, without any appeal for money, he sits down. It is over. There is a dead silence; then a woman bursts out, "Tell us the quickest way to help!" She is the lady of the folk-songs, but she does not seem to want them any longer. There are a few other questions, a few announcements. The spell is broken, and we find that we can laugh and chat about other things as we go on about "our business and desire—such as it is." But we have been strangely moved, and when we go home we shall probably send a check to the Quakers—oh, small enough to be quite sure it does not interfere with any plans for our own amusement. Perhaps after all we might not be so careful this time; perhaps it wouldn't hurt us to cut out a few things? After all, those people are dying . . . and in torment. . . . How shall we write that check?

. . .

How can a man endure it? This precipice of indifference, preoccupation, apathy? This beating against closed doors, closed souls? Appealing for a situation unthinkable from a plane of experience alien as another planet? And all the time, days passing, death gaining in the race. So the prophets of old must have spoken what the Lord put in their mouth. *Is it nothing to you, O ye that pass by?* Yet he is not embittered. Out of that frozen hell he has brought, incredibly, sanity and sweetness. What gives him this immortal patience?

"The sun set, but set not his hope"—

It is perhaps the grace of God?

D. H.

## Advertisement

We want a man of forty for the job.
One who has enjoyed his little fill of romance.
And suffered intermittent indigestion ever since.
One whose memories are sufficiently cold
successfully to resist the embraces of truancy.
To whom a mountain
no longer looms an ideal
to scramble up and tumble down,
but is an actual thing made of stone
bristling with multitudinous edges
to bark one's shins or break one's neck upon.
To whom a lake or river
or other body of water
no longer entices the search for one's likeness
(we only ask a man to be himself
and not go diving after phantoms),
but is a place one might readily drown in,
one's muscles no longer quite what they were.
Who has achieved
that ultimate disillusionment:
not to be able to differentiate
the respective features, limbs or what not
of his whilom Graces and Gwendolyns,
and if he could wouldn't want to,
would devote the rest of his days to a desk
piled sky-high with ledgers and cash-books:
Such a man would be certain to stick,
we want such a man for the job.

ALFRED KREYMBORG.

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# Theory and the Woods

I HAD met X— for the first time at dinner that night, and as we walked home together he talked about his theories of life and art. He seemed, to look at him and to hear his voice as he talked, like a creature whom the angels had visited all his fifty years. I was already beginning to bask in his enchanting light and to think how much it meant to have such a man in the field of painting, where so many men go pattering along with no point-of-view whatever and with nothing but impressions of line and color to lisp the happy babble of their eyes. X— was telling me the idea he had had in his mind when he painted his last picture, which he called Within the Woods. As he talked he made silent rhythms of gesture with both his hands, as if he were somehow sifting the light of the stars. "I had of course," X— said, "no intention of setting down any identity for this scene. I visited the spot, I went again and again and let it sink into my mind, receiving it as one might receive a dream. To put into the painting what I know is in the woodland scene, I knew that I must arrive in myself at a certain mood. I must dwell in moods that are inspired by that That which is in all objects and around all things. I must attain to one of those rare moments when we are withdrawn from sensuous perception and are centred in some aspiration to what I may call Higher Beauty. For they who empty themselves wholly and approach with open mind and heart and lively discrimination, they are able to pass from gentle motion to stillness, from meditation to contemplation, to the realm of inspiration. They pass to the essence of beauty, of life in all human effort."

X— was silent and we walked along. With this idea of things in general and with the mood that X— indicated as underlying his picture, I was of course familiar; we have had it set forth more or less in a dozen cults and nature poets. What I wondered was, how X—might contrive to convey all that in painting. The problem that confronted him resolved itself into this: by what means could X— express in terms of line and color what he had just expressed in terms of words! That it could be done was clear; X— evidently rested very easy and gay about his achievement quite as Duccio might have felt when he attained that marvellous statement of what he felt about the idea of Christ's appearing to the disciples. How, I wondered nevertheless, was X— to express as painting what he had given me as literature or philosophy? Plainly behind both the picture and the words there must exist some underlying and more fundamental and abstract idea which might emerge in the two arts. It had emerged as words. It could emerge as painting; for if we said it could not, we should be driven at last to saying that painting could not express ideas, as many people have said; or we should be driven to saying, as so many have done, that painting can exist without idea. Whereas it is a fact that all art deals in the end with little but ideas. With convictions, no. Not immediately at least. But with ideas, yes. To say anything else will not make sense.

Obviously a painter cannot say in paint that we should remember every moment that the human soul participates in the divine. But he can obviously give to a human figure or to an object, as Botticelli sometimes does, a design, a pattern of lines, that will prevent its resting in itself, that will carry it out of itself into the surrounding spaces and forms and give to the whole a kind of radiant unity. And to take another instance, the same fundamental idea may appear, for one way, in the balance of arches in an architect's façade; for another way, in conduct as a fair act; and, for another, in ethics as a theory of justice; three particular statements of one general thing. Every art has its material, the stuff out of which it is made up, but the final expression that is achieved will be determined by the artist's ideas. There could not be a piece of art that did not represent some final combination of the artist's ideas as they work together. The difference between the work of art and the raw material used by the artist can be only a difference in idea.

That might be very well, theory around and about, I reflected, but the plain painting case was how should X— get his thoughts about the nature of the world and the mood needful for certain contemplations of beauty, said in a painting of a wood? Even as expression of his idea in terms of literature or philosophy, X—'s achievement, I thought, had been a bit infirm; certainly, for one example, a mind emptied of all preconceptions ought to be a novel organ. Still I felt that I had seen what X—meant. But how in terms of color and line were the leaves of the trees to be translated into the idea? Hindoo painting turns sometimes on such ways of thinking about the world, and the early Chinese painters may have approached reality somewhat in this vein. But an artist would be merely erudite if he took over a mass of foreign technique. I was at any rate curious to see just what relation to the actual scene the painting would have, and by just what technique was this conveyed; I was curious to see how far the technical medium and the degree of realism would belong to the idea. I asked X— about the method of painting that he had followed, and how he had worked. Well, in the first place, he said, no particular object had been represented as interesting in itself. He was not in the least concerned with what sort of young trees these were, for example, whether they were oaks or maples or birches. Every object on the canvas must exist in terms of its relationship to every other object. All outlines, forms and colors were strictly relative. The whole scene must be freed of everything but its own characteristics. Nothing must do violence to the mood, X— said, and the particular scene and particular moment must be felt to be at the same time distinct in themselves and yet a part of eternity and of universal all brooding space.

So X— went on, ending by saying that perhaps he could show me better what he meant when I saw the picture, I was running in a moment was I not?

I did not feel that I had been answered so far as technique went, for I had meant to ask not only about theory but about the brush, the overpainting, the use of hard line, the depth of modelling, the hot and cold, and so on. But no doubt everything would be clearer when I saw the actual painting. We came to X—'s house and went upstairs to his studio. The picture was on the easel, he said, some friends had been looking at it that day.

I went straight to look at Within the Woods.

One thing that X— had said, I could see at once, was true. The trees might be what they chose so far as the painting went, birches, beeches, young oaks. Otherwise the picture was a very pretty landscape in the style of the French salons of the late nineties. A soft air hung in a grayish wood, and through a mist of suspended blue the eye was led to an impression of quiet light and a wide atmosphere. The trunks and foliage were handled in soft masses, the colors put on in blurs and impressionistic spots and dim outlines, all very fresh and gentle. Every exhibition has a score or

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more in precisely the same style. So there we were.

I said sincerely enough that the picture was very decorative and poetic and that I did not wonder people ran after X—. And he, meanwhile, having lighted his pipe, settled on a couch and was talking about the necessity for every artist's entrance into the contemplation of Deity.

How different it is,—the thought kept running through my head like a moral to a fable as I listened to the painter's words and looked up now and then at his painting, and later as I wandered vaguely home——how different it is to talk about a thing and to say it in an art.

STARK YOUNG.

# The Independent Exhibition

IN the seventh annual exhibition of the Society of Independent Artists eight hundred pictures were hung. The Waldorf roof was transformed into a motley wilderness through which the jaded public wandered confusedly. In observing the general impressions of the layman—his humorous apathy and his insensitive haste—I thought of the lines of Swinburne:

> Miles on miles on miles of desolation!
> Leagues on leagues on leagues without a change!

Had every canvas been a masterpiece, the very magnitude of the collection would have been overwhelming; and when we remember that there were no masterpieces, and that no credentials were demanded of the exhibitor, we can readily understand the tired eyes of the spectator. Undeniably a number of interesting pictures were on view, but it was difficult to see them; and many of the mature modernists, realizing that good work is practically killed when hung in the alphabetic company of nondescript amateurs, were not represented. This was to be expected: the Independent Society was organized to discover new talent and not to exploit names; but the acceptance of unknown artistry does not necessarily imply the wholesale hanging of abortive trash. Juries, of course, are dangerous and prejudiced bodies, and since the directors were afraid to risk their judgment, it was better in that case, I suppose, to include anyone who could pay for space and to leave the verdict to posterity.

Most of the pictures were of no permanent value, but the exhibition as a unit was both instructive and important. In the first place, it was a final and comprehensive rebuke to the obscurantists who have insisted that the recent tendencies in painting are factitious performances bearing no relation to modern life. I found at the Waldorf a reflection of a complex and disordered society, a summary record so inclusive as to be almost terrifying. A few canvases were sane and satisfactory, the statements of men who have worked genuinely from a creative basis, who have reflected somewhat upon the world, and by choosing from their experiences those elements essential to a new and plastic structure, have in a measure reduplicated their existences and lifted their expression above temporary circumstances. The politician was present, the painter who adorns his superficial thefts from Cézanne with dextrous academic flourishes, hoping thereby to make a spurious radicalism acceptable to a thick-witted public. There was much evidence of precocity, an abnormal American trait which has usurped athletics, invaded literature and is now threatening the fine arts. Untutored children have proved to be more proficient draughtsmen than senile academicians, and youngsters with a little schooling are prodigies in water color. At every turn I was confronted with examples of mechanistic cleverness, pictures and statues executed with an uncanny skill which, if directed into the proper utilitarian channels, would revolutionize the crafts. A number of things were obviously done by charlatans—it required only a disingenuous mind and nimble fingers to concoct some of those frivolous imitations of French abstractionism. The parvenu, the cheap humorist and the lawless metaphysician were also represented, and many other unworthy specialists in pictorial crime. We must not forget that modern art is the fruit of an exceedingly complicated society, and that it is characterized not only by the dignity and decency of a few intelligent minds but also by the nervous pretence and ignorant vitality of its more numerous exponents.

Second: The practice of academized naturalism has at last crumbled into insignificance. The old stuff done in the manner of Chase, Innes and the rest, was plentiful enough, but in most instances it was sent by elderly ladies whose fame is confined to the catalogue of the Independents. The younger generation has responded to the call of Cézanne and the Cubists, and it is only a question of time until every art school in America will be forced to employ modern instructors instead of decrepit apostles of photographic imitation. Art, like life, has its cycles of development, its rise, culmination and decline, and I must confess that the fine animating purpose of the first Post-Impressionists, the rebellion against unimaginative dullness, has already been diverted into standardized methods. We shall soon have a new academy to contend with, but for the present the serious beginner will find the modern French schools a salutary influence.

Third: With the more advanced advocates of Continental methods, Cubism has become an intricate and highly perfected mannerism. It has evolved on the one hand into an arbitrary scheme of incoherent details, and on the other into flat abstraction. The movement as originally conceived was an attempt to reestablish form upon a classic foundation by a modern means—an object was analyzed into its geometrical components the forms of which were defined by sharp planal areas. Picasso, the leader of the school, having discovered that it is impossible to unify a multitude of flying segments, has abandoned the procedure. Cubism, by insisting on form, has been of great value to art, but it is not an art in itself. It is a step leading to a new realism. Any effort to make it function as a finished rendition of emotional form is a sign of decadence. With the pure abstractionists it is hard to be tolerant. Unmoved by the nobler forces of life, these curious workmen resort to the alleged psychic power of odd combinations of angles, lines and patches. Happily they are less numerous than in the unrestricted exhibitions of the past.

Fourth: The influence of Expressionism was manifestly predominant. The doctrine that true art is the outcome of true feeling was first promulgated by the Italian Futurists; it has received philosophical support from the Germans, and has had a most pernicious effect on painting. Croce has successfully abolished the old duality of form and content, and by tracing the creative impulse from the impression through the transforming imagination to the expression, has clearly shown that art is lyrical; but it by no means follows that formal knowledge is unnecces-

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sary, and that pictures can be constructed without some rational working basis. If art were merely a matter of feeling, then the galleries of the Waldorf would have contained more masterpieces than the Metropolitan Museum. It is customary for a painter of this persuasion, when pressed to explain his intentions, to cry out indignantly, "I am expressing myself!" No one would deny the truth of the answer. The formless productions of the Independent Society were indeed perfect expressions—concrete evidence of small-minded sincerity and unbridled temperament. Work of this character is usually symbolical, and so strangely personalized as to be incommunicable. And I may add that great art is neither cryptic nor eccentric.

Fifth: The most heartening revelation of the exhibition was an honest groping toward realism. Here and there among the superabundance of meaningless canvasas, I saw creative purpose, a grim determination to produce something which should have a new reality of its own. I was conscious of the artist's struggles, of the harsh environment that had moulded him, and of his fierce endeavor to shake off conventions and virtuosity, and to set down his reactions to life in an intelligible sort of sequence. The modern painter has not only to fight against a homeless civilization that has no room for pictures, but to connect himself with a tradition that has been broken for centuries. But when one compares the work of the young men of today with the lifeless showing of a few years ago, one must conclude hopefully that art is destined eventually to recover its importance in the world.

The outstanding contribution to the exhibition came from the City of Mexico. The Latin-American artists, having organized a society on the same "no-jury" principle as the New York Independents, were invited to send examples of their work. The response was inspiring. Not that it was great art, but it afforded a tonic relief in a desert of horrors. The critic must needs keep an eye on the Mexicans: they are close to actualities, and if they can be saved from the vitiating formulas of the Parisian cafés, they will undoubtedly arrive at high achievement. The collection was variegated, ranging from the decorative designs of school children to the sophisticated drawing of Diego Rivera. The work of the children derived from a primitive naïveté, but it was by no means crude; in fact, it was much better both in drawing and design than the canvases of some rather prominent New Yorkers. It was decoration in the applied sense—ornament for altar pieces and embroidery—but not less legitimate on that account. Diego Rivera is the most distinguished of the modern Mexican school. His deliberate experiments in linear primitivism were weak and pointless, but his ability to draw was clearly exemplified in his unforced studies. His head of a man was one of the best pictures in the show, unmannered, well-constructed and admirably simplified.

Except for the Mexicans, the exhibition of the Independent Artists was destitute of individual distinction. The well-known painters both of the old and new schools added nothing to their reputations. George Bellows, an illustrator of considerable power, disclosed little in his portraits beyond a muscular enthusiasm for pigment; Robert Henri's gifts have terminated in glittering surfaces; and John Sloan's scattered painting of a New Mexican scene did no credit to so eminent an etcher. Gertrude V. Whitney's The Nun, modelled after the fashion of Rodin with realistic lights and darks, displayed no knowledge of sculptural planes; Warren Wheelock was guilty of several empty statues, but was also the author of a small solid figure; and Texie Myers, an Independent discovery, carved wood with promise. The late Mary Rogers was represented by a thin, poetic landscape; Magda Pach's fourth painting, a still-life, was better intrinsically and technically than the veteran cleverness of the majority; and the Nude Study by Edith Sterling appeared fresh from the Art Students' League. Toshi Shimizu's China Town stood out as an exciting piece of illustration; Leon Kroll's Tulips was a smooth compromise between Cézanne and the academy; A. Walkowitz, remembering the censors, hung a topographical caprice called The Invisible Nude; A. S. Baylinson's Interior, a study in composition, attempted to make design an end in itself rather than an instrument expressive of something; the abstractions of Stuart Davis were devoid of meaning either as material experiments or symbolical records; and Morris Kantor's contribution was a puzzle by his own confession. And so on. And so on.

A modernist painter of keen judgment and recognized ability deprecated the exhibition in savage language. He said to me, "If this is modern art, then God help the movement! It is the dregs of art passed off as the genuine article. No wonder the public scorns us!" Unfortunately the pictures at the Waldorf did represent modern art in the aggregate. But there is no reason to be down-hearted about it. The glory of any movement, whether in art or literature, resides in a few men of intelligence and vision, and we have in America today at least a dozen artists worthy of the name. And as I have said, it was possible in the unassorted wreckage of the Independent Society to detect a struggling purpose, a small but genuine feeling for beauty. Aesthetically the exhibition was a failure; but as a means to determine the general course of the modern stream it justified its existence.

THOMAS CRAVEN.

## Captive

When gloaming droops
To the raven's croak,
And the night-jar churs
From his time-gnarled oak
In the thunder-stricken wood.

When the drear dark waters
'Neath sallows hoar
Shake the veils of night
With hollow roar
Plunging deep in flood.

Spectral and wan
From unquiet rest,
A phantom walks
With anguished breast,
Doomed to love's solitude.

Her footstep is leaf-like,
Light as air,
Her raiment scarce stirs
The gossamer rare;
While from shadowy hood.

In the wood-light pale
Her dream-ridden eyes,
Sans sorrow or tear,
Speculation, surmise,
Wildly, insanely brood.

WALTER DE LA MARE.

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# A COMMUNICATION

## Contempt By—Not Of—Court

SIR: The other day a district judge sentenced me to one day in jail and a dollar fine for contempt of court. The affair was so trivial as not to be worth recounting save as an illustration of the extent to which our courts are going in the use of the contempt process for the denial of jury trials in cases involving human liberty.

The citation was based on an editorial which I had written and published in the daily Des Moines News. The article expressly stated that to the legal wisdom, equity and honesty of the court's conclusions no exception was taken. The only criticism was of the form of the court's opinions, which it was said were filled with puerile personalities, racial prejudices, labored efforts at humor and obiter dicta in general. The thing which especially aroused the court's ire was the statement that he was frequently "intoxicated by the exuberance of his own verbosity." As an example an opinion which he had recently read from the bench was cited.

After the court denied my request that, owing to the peculiarly personal nature of the criticisms, hearing be held before some other judge, my attorneys argued that the article in question did not tend to bring the courts or judicial processes generally into disrespect; that it constituted fair comment and criticism on a public official; and that it should not be construed as an effort to influence the court's actions, because the only case cited was one in which his decision had become a matter of public record.

After listening to the arguments and citations of supporting cases, the judge pulled from his pocket and read a lengthy, type-written decision, prepared in advance, finding me guilty on the ground that while the opinion whose form only I had criticized had previously been rendered, the formal order of court directing the carrying out of its terms had not been filed with the clerk when the criticism was published. Therefore technically the case was still pending before him and theoretically I might have been trying to influence some of his actions in that connection.

Speaking somewhat loosely, the judge was the complaining witness; he was the jury to sit on the charges; and finally he was the judge to fix punishment in case he found his own charges justified—all of which duties he discharged in a formal opinion prepared prior to the hearing. The case is now pending on appeal to the Supreme Court of Iowa.

So far as this particular case is concerned it is of negligible importance. But the very fact that it contains elements of opera bouffe rather than of solemn judicial procedure—although the judge is learned in the law—makes it perhaps even more significant in its implications than the more serious citations under the Daugherty-Wilkerson railroad strike injunction, over which expert opinion honestly differs.

If the decision in my case is sustained, it means that not only is one barred from expressing opinions in violation of an injunction, but is forbidden doing so in the absence of an injunction, if by any stretch of the imagination it can be construed as an effort to influence a court's actions. Nor need such criticism go to the fundamentals of judicial honesty and equity, to subject the offender to the danger of fine and imprisonment, but only to a judge's literary style, his sense of humor—and presumably his taste in dress, hair-cuts or anything else.

But what is equally as serious in this growing use of the contempt process is the denial of jury trials in criminal cases against both the letter and spirit of organic laws. The bill of rights of every state constitution, I assume, contains a provision similar to that of Iowa's, founded on the old common law dictum that no person shall be deprived of life or liberty without a trial by a jury of his peers. Yet in certain cases, notably those for violation of laws prohibitory of liquor selling, dope peddling and prostitution, law-enforcing officers have found it more convenient—and I suspect more effective—to rely on punishment through the injunctive process than on conviction by juries.

Hence in many states there has been added to the criminal statutes one providing for injunctions against the commission of these crimes. The injunction lies not only against the person of the accused but against the property he occupies, whether as owner or as a tenant of what may be an innocent third party. Thus the accused can be tried by a single judge in an equity court instead of by a jury in a court of law, as has been contemplated since time immemorial.

To revert to my own petty case—action might just as well have been taken for criminal libel. But that would have entitled me to a trial by jury. It was only when it became contempt of court that I was tried by my accuser and victim. So with bootleggers and similar classes of criminals. It is not a satisfactory explanation to say that they are not denied a jury trial for the illegal selling of liquor, but are merely sent to the same jail for the same acts for violation of the court's order not to commit them.

I can understand the viewpoint, while not sharing it, of those who believe that "the ends justify the meanness"; who think that we have gone too far in protecting the individual; who hold that the cases of injustice are more than offset by the larger good of more effective enforcement of criminal statutes, or who feel that it is better that ninety-nine editors guilty of libel should lose their right to a trial by jury than that one innocent bootlegger escape.

It is entirely proper for such persons to work for a change of our fundamental laws. But lacking sound legal sanction, I cannot sympathize with their defiance of rights which our Anglo-Saxon forbears struggled centuries to secure and which we have formally adopted. Such an attitude, it seems to me, is bringing our courts and legal processes into contempt far beyond the power of any editor to add or detract.

AUSTIN HAINES.

Des Moines, Iowa.

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# CORRESPONDENCE

## We're Not Interested in Politics

SIR: The Progressive political movement has to contend with the important fact that people nowadays are not interested in politics. One of the most striking features of American history since about 1875 is the decline of politics as a vital force in the life of the individual citizen. Several things have contributed to the cause of this decline. In the first place, the fundamental political problems that have faced the United States are solved. There is at present no sharply defined issue about which people feel deeply—no question such as the constitutional relations between Great Britain and the colonies, the establishment of national government, territorial expansion, or the relation between state and federal government. An issue of similar magnitude may appear in the future—but as yet it has not crystallized.

In the second place, the federal government has ceased to touch closely the lives of the mass of the people. There was a time, not long ago, when residents of large sections purchased their land from the central government, relied upon it for protection against Indians, and sought federal aid for the construction of roads, canals, and railroads. The economic and social life of the whole South, until the close of the Reconstruction period, was influenced largely by political ideas and political conditions and in turn exerted a strong influence upon them. But this, too, has been changed. Instead of feeling that the policies of political parties affect him directly and vitally, the individual has a suspicion that they do not—that his influence, moreover, upon national politics is too negligible to count for anything, that questions now are too numerous, complex and remote for him to master or even to understand; that government is becoming more and more a matter for specialists and experts.

In the third place, the last fifty years have seen the development of numerous institutions and interests that have absorbed the interest which the public formerly bestowed upon politics. There are a dozen fields in which an ambitious person can attain national prominence to one such field a half century ago. The energy of the nation is being applied to science, business, education and industry—not to politics, because the nation feels that its political salvation has been accomplished. Americans of today—and especially young Americans—take virtually no interest in theoretical politics and but little more in its practical phases.

Other causes have contributed to this effect. The congressional system has failed to produce political leadership under modern conditions, and outstanding leaders are almost essential to strong popular interest in politics. Congressmen in the House are either lost in the army of their colleagues, baffled by the complexity of business, or overwhelmed by the intricacy of rules of procedure. The Senate does not represent proportionately the nation's intelligence and education. A state like Massachusetts, containing, perhaps, twenty times more well educated and trained men than a state like Utah, has the same number of senators; and thus the nation's supply of first rate men available for political service is reduced. Finally, the power of the press tends to make it very difficult for a citizen of ordinary means and influence to participate in political affairs as a candidate. The expense of running for office and the difficulty which the candidate meets when he seeks to get his name before the public are not inconsiderable among the factors that have made politics remote to the average man, have robbed political activity of its former simplicity, and have caused the people to lose interest in issues and elections.

The nation is absorbed in the task of keeping itself alive and well dressed, of educating its children and of finding not too exacting forms of amusement. But there is one condition which may provide a political issue upon which all people will take sides—and that issue will centre about the relation of the national government to basic industries. Out of this issue a new party may arise. If so, the liberal elements of the country will be fortunate if they secure a reasonable degree of solidarity among themselves before the issue comes to a head.

CURTIS NETTELS.

Madison, Wisconsin.

## Let France Explain

SIR: Your reviewer's very meticulous and to me uncandid critique of my, Let France Explain, which comes to this country with the unqualified praise of many eminent Englishmen, betrays, I think, a prejudice against any revelation of French and Russian guilt on the causes of the war.

But this review itself shows how successful has become the exposure of the French complicity in this dreadful business. Three years ago the admissions which in spite of himself this adverse reviewer makes today, would have been considered incredible. He concedes that the theory that Germany was solely to blame must suffer "revision" under the new evidence. Thus Germany is no longer *solely* guilty. The author's error, he says, is in severity. He does not blame me for being "so astonished and disgusted by his researches," but thinks my consequent irritation too great. I did find, then, matter for astonishment and disgust. Progress again. Three years ago there was nothing but innoncence west of the Rhine.

"It is too lightly assumed that because Entente statesmen talked of war and prepared for war they were bent on starting it." Another concession to truth. They did, then, the Allied statesmen, talk of war beforehand and were prepared for war.

"It may be granted," he says, "that France and Russia had decided to fight rather than grant further concessions." Progress again. We were taught that in 1914 France was horribly surprised. And concessions where? In Russia's Balkan interests.

"No doubt Poincaré," he concedes, "was too prodigal of support" to Russia. An interesting thing, this, which our people should know. Supporting Russia in what? In her expansion in the Balkans, where France had no interest and Russia no necessity, only ambition. Ringing in our ears is the shameful confession by the French ambassador at Petrograd to Witte. I quote the words which the Frenchman has used in his Memoirs:

> If the world today is in fire and blood, it is for a cause chiefly important to Russia, a cause eminently Slav, a cause which concerns neither France nor England.

"His [the Russian Ambassador's] letters show how powerful were the French Chauvinists and the Russian militarists." Another damaging concession, news indeed to the vast bulk of Americans, who were carefully taught that the only powerful militarists were in Germany.

The abominable secret treaty between France and Russia, by which France was to have, besides Alsace-Lorraine, great iron districts in Germany and "the coal districts of the Saar," is vivid reading nowadays. That is a subject which none of my hostile reviewers in various parts of the world have ever cared to touch. The Ruhr occupation is confirmation indeed of my prediction, based on the history of France, that she was pursuing her historical policy of disintegrating and economically destroying Germany.

As to the War of 1870, equally, the pro-French reviewers avoid allusion to the startling facts known to students of history and not to the general public that Louis Napoleon vainly asked Austria to join him in an unprovoked attack on Prussia some years before, and that he also offered in writing, through his representative, to let Prussia alone if she would permit him to seize Belgium.

Mr. E. D. Morel is spoken of slightingly by the reviewer. Yes, Morel was very unpopular in England for his insisting during the war that it was not Germany alone that was to blame. It is interesting to note that in the light of the new documentary revelations, this gentleman has been elected to Parliament by his countrymen with an enormous majority over Winston Churchill.

During three years each batch of dipmomatic revelations adds to the guilt of Poincaré and his friends. Repeatedly is France asked to reveal her files in reply. France declines.

FREDERICK BAUSMAN.

Seattle, Washington.

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# A Defence of Haig

*Sir Douglas Haig's Command: 1915-18, by George A. B. Dewar, assisted by Lieut.-Col. J. H. Boraston, C. B.— 2 Vols. New York: The Houghton Mifflin Company. $10.00.*

THIS book is a history of Haig's campaigns in France. The object of both authors—Col. Boraston was Haig's private secretary—is to defend Haig's military reputation against what the authors believe to be unfair criticism, both French and English. This criticism was of all kinds, and took place at all seasons, at least as late as August 8, 1918. Therefore the authors meet the criticism at the same time as they relate the details of the campaigns. In the same manner they relate Haig's victorious advance on and after August 8, 1918, but during this period their intention is to show that Foch got too much of the credit which should have been Haig's. In other words, they say, Haig got more than his fair share of blame before the advance of August, 1918, and less than his fair share of credit thereafter.

The first of the criticisms—to take them up in their chronological order—was that Haig's successes during the battle of the Somme did not justify the English casualties. Lloyd George believed this, and welcomed Joffre's supersession by Nivelle, and the latter's plans for a quick breakthrough. There is little doubt that the authors stand here on firm ground; if Haig and Joffre had been allowed to carry out their plans for 1917, it is probable they would have won the war in that year. This is the view of John Buchan's book, recently reviewed by the present writer, and Ludendorff himself goes far, in his own book, to support this theory. So far as Haig's reputation is concerned, however, the authors need no longer worry about the battle of the Somme; Haig's 1916 operations are today considered sound.

The second criticism is that Haig's Flanders campaign in the autumn of 1917 was ill-judged and costly both in casualties and lowered morale. There is no doubt that Haig had to attack heavily during this period in order to prevent Ludendorff from himself attacking the French, whose resisting power had temporarily been lowered by Nivelle's battles. Haig chose Flanders for his field of operations because only in this field were there any valuable objectives close enough to be captured. These objectives were the German submarine bases and the communications of their northwestern front. The authors claim that as a holding attack these operations were justified, and attribute the failure of Haig's larger strategy to the weather. It was Ludendorff's new defensive tactics, however, as well as the weather, which held back the English attacks during the first period of the battle, so that in October—which is always a wet month in Flanders—Haig was behind schedule. Ludendorff's use of mustard gas, concrete machine-gun shelters, and defence in depth—a lightly held front line supported by counter attacks—was excellent. The result was that the trying conditions inherent in all Flanders battles were accentuated, and the English troops put under a very severe strain. Since none of Haig's ulterior objects were obtained in this battle, it seems probable that mere holding attacks could have been carried out with equal results over a less muddy terrain, and without demanding the very last ounce of English courage.

The failure to exploit the results of the Cambrai attack is laid to Byng's faulty disposition and use of his cavalry. This view is not sufficiently substantial, considering the known vulnerability of cavalry on the Western front, and Byng's reputation both as a general and as a cavalry officer.

On one flank of the German counter attack at Cambrai, which immediately followed the English attack, Ludendorff first used his new offensive tactics of filtering specially trained troops through many places of the front at the same time—the answer to his own defensive tactics, which the English had adopted. Col. Boraston relates how survivors of the 55th Division reported their impressions of these new German tactics, and how these impressions were received at G. H. Q. "It is human," observes this bland staff officer, "for a man who has escaped out of great danger to dwell upon the perils he has undergone, and stories of the enemy advancing in masses at one point and of the sudden appearance at another of large bodies of his troops in rear of British troops that had successfully beaten off frontal attacks had not been so unknown in previous fights that they could be received without caution as indicating a departure from recognized methods of assault. On the other hand, it was easy to believe that our troops—trained as they had been for so long exclusively for attack—had failed to put into practice with sufficient skill and completeness a method of defence which they had little or no time to learn. Moreover, no system is proof against surprise, and it was generally accepted that locally at any rate our troops had been taken by surprise." So nothing was done about it; but one wonders what the survivors of the 55th Division thought about Haig's staff work then and thereafter.

For it was these very tactics which ensured Gough's defeat in the following spring, although Haig was starved of reinforcements by Lloyd George, and was right in weakening his line in his least dangerous sector. But at this point the main object of the authors is to show that it was not French reinforcements, but the English defence in front of Arras, which prevented an absolutely decisive Allied defeat. In this they are quite right.

The authors follow this up by showing how Haig decided to ask for Foch's appointment as supreme commander, because Pétain talked about withdrawing his left flank southwest, in order to cover Paris, an operation which would have disastrously separated the French and English armies. At this moment, however, the idea of appointing Foch occurred to many other men besides Haig, and the authors overemphasize the incident of Haig's telegram.

During the victorious advance of August 8th and later, the authors show how upon at least one important occasion Haig insisted, quite rightly, on his own plans against those of Foch, and argue from this premise first, that too much magic has been attributed to the Unity of Command. This is perfectly true. Secondly, they argue that it was Haig's strategy, rather than Foch's, which won the victory. Their view here is extremely narrow.

The trouble with the book is that it is written in an unsportsmanlike, exaggerated and ungentle spirit. The authors say that if the word genius can be used at all, it should be used about Haig. It was not a genius, however, who treated the reports of the survivors of the 55th Division in the way described by Col. Boraston. Again, the authors are continually accusing French troops of avoiding losses. Troops of all nations occasionally fight badly; but so far as the French are concerned, it is in

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extremely bad taste to reflect on their courage. Here is a sample of the authors' taste:

> . . . . Debeney was indeed a past master of the art (of manoeuvring). He was responsible for the coining of a new and expressive, if transient word in British military language. To "Deb" meant that the user of the word intended to remain quiescent for a while, till advance on his front had been made easier by the progress of his neighbors. But there were other exponents of the art in the French Army. They had their reason in the natural desire to preserve a powerful French Army to give weight to French counsels in the peace negotiations. They had their justification in the incomparable exertions and sacrifices of the French Army and nation in the early years of the war. The more reason, therefore, that the facts of the 1918 battles should be known, and the credit fairly apportioned.

Earl Haig has not been well served by the publication of this book.

X.

# A History of French Literature

*A History of French Literature, by William A. Nitze and E. Preston Dargan. New York: Henry Holt & Company. $5.00.*

IT happens that this classroom history of French literature appears just at a time when literary and academic circles in France are being stirred by a serious attack upon the corresponding manuals used in French colleges. A short while back, M. Fernand Vandérem, the well-known critic and novelist, started to examine systematically the various histories of French literature with which students of the subject, not only in France, but in other countries are familiar. He looked through the works of Brunetière, Faguet, Lanson, Doumic and others of lesser importance, and found them all wanting. For the most part, the professors followed blindly in the footsteps of Brunetière and Faguet, and M. Vandérem drew up an amazing list of omissions and superficial judgments, all repeated from one manual to another, and rarely modified even after the passage of many years since the time of original publication, although, in the interval, opinion had definitely veered away from the prejudices and misapprehensions under which the victims first suffered. At the same time, he made the interesting discovery that a certain obscure poetaster was invariably mentioned with profound respect, because he happened to be an official of the Ministry of Public Instruction when these manuals were written.

The upshot of this affair has been that a petition has been sent to the Ministry of Public Instruction calling for an inquiry, and demanding that official sanction be withdrawn from works which boycott or misrepresent such writers as Barbey d'Aurevilly, Banville, Gérard de Nerval, Marceline Desbordes-Valmore, Baudelaire, Rimbaud, Huysmans, Villiers de l'Isle Adam, Gobineau, Albert Samain, Jules Laforgue and Charles-Louis Philippe, to mention but a few names of the highest distinction in M. Vandérem's list of omissions. As some of the histories under indictment are commonly used in both America and England, one turned with a natural curiosity to this newcomer in a well-trodden field, in order to see how far Professors Nitze and Dargan have followed French precedent, and how far their history supplies the deficiencies with which their French colleagues are reproached. Almost all the names I have quoted from M. Vandérem's list are included in this book, but, except that the authors depart from the Brunetière tradition in their relatively appreciative discussion of Baudelaire, there is little to choose between the omissions of the French professors and the perfunctory mention accorded by the Americans to the same writers.

Needless to say, the authors proceed, in their turn, to indulge in the strangest eccentricities of judgment where modern writers are concerned. Although the book covers works published at late as 1917, Marcel Proust is mentioned only in a footnote with Arnold Bennett, Compton Mackenzie, Dreiser, Couperus and Wassermann, as an author who wrote "cycle-novels." The two French Pollyannas, René Bazin and Henry (misspelled throughout as Henri) Bordeaux, are included, but I cannot find the slightest allusion to André Gide, Georges Duhamel, René Boylesve, Camille Lemonnier and Elémir Bourges. Amongst those of the older generation there is no reference to Duranty, Maurice de Guérin or Gobineau. Marcelle Tinayre is mentioned but not Marcel Schwob, Jules Renard, Abel Hermant or Jules Vallès, who are, to say the least, as important. The most serious omissions, however, are Gide and Gobineau. To discuss contemporary French literature, even in the briefest way, without Gide is like discussing modern drama without Ibsen. The absence of Gobineau is a glaring instance of conventionality, for nobody writing today of French literature with the slightest flair for original ideas could pass over that remarkable precursor of Nietzsche and Houston Chamberlain.

The bibliography is extensive, but even here, in what should be the pièce de résistance in the work of two learned gentlemen with proper academic traditions, there are far too many omissions of first-class works. I do not find Brandes's Main Currents, nor Saintsbury's astounding History of the French Novel, nor Edmund Gosse's essays, nor Tilley's Molière. The chief anti-Bergson manifesto, Julien Benda's Le Bergsonisme, is not given in the bibliography of Bergsonism, but the authors find room for Miss Turquet-Milnes's far-fetched book on the subject. Jules Lemaître's charming study of Chateaubriand is omitted, also Gonzague de Reynold's Baudelaire, the most important work of literary rehabilitation in many years; Delahaye's Verlaine and Crépet's Baudelaire, the standard work on this author. The bibliographical sections on contemporary poetry and drama are of the hit-and-miss variety; usually the obvious, well-advertised book is preferred. A pot-boiler of W. L. George's, France in the Twentieth Century, is put forward as an authoritative work, for some reason, and no other book of the kind is given in that section dealing with general pre-war conditions.

In these circumstances I confess that it is difficult to see any reason for the existence of this work, apart from those which everywhere govern the manufacture of textbooks, and with which the general reader—and even the students affected—have no concern. Professors Nitze and Dargan have, of course, the qualities as well as the defects of their virtues. Their book begins at the usual point in French literary history and patiently follows the usual course until it reaches the usual breathless, pellmell chapter at the end

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*A few of the institutions dealt with*:

The University of the House of Morgan; The University of Lee-Higginson; The University of U. G. I.; The Tiger's Lair; The Bull-Dog's Den; The University of the Black Hand; The University of the Lumber Trust; The University of the Chimes; The University of the Anaconda; The University of the Latter Day Saints; The Mining Camp University; The Colleges of the Smelter Trust; The University of Wheat; The University of the Ore Trust; The University of Standard Oil; The University of Judge Gary; The University of the Grand Duchess; The University of Automobiles; The University of the Steel Trust; The University of Heaven; The University of Jabbergrab.

*A few other chapter headings*:

The Interlocking President; Nicholas Miraculous; The Lightning Change Artist; The Academic Department-Store; Stealing a Trust Fund; Peacocks and Slums; The Fortress of Mediaevalism; The Dean of Imperialism; The Stanford Skeleton; The Academic Wink; Education F. O. B. Chicago; The Harpooners of Whales; The Process of Fordization; The Growth of Jabbegrab; The Large Mushrooms; The Little Toad-Stools; The Orang-Outang Hunters; The Semi-Simian Mob; The Rah-Rah Boys; Damn the Faculty; The Foundations of Ford; The Bolshevik Hunters; The Helen Ghouls; The Shepherd's Crook; The Academic Rabbits.

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where, according to prejudice or timidity, names of contemporaries are scattered wildly and labelled at haphazard. As the authors of the present volume are the latest in the field they have to dwell a moment on certain figures, now sanctified by death, which they would otherwise omit or hide in a footnote. Thus we find Remy de Gourmont described as "following Bergson" in the dissociation of ideas, and being led "into a corrosive and pernicious immoralism," a perfect example of misrepresentation, for Gourmont's theory was developed almost contemporaneously with Bergson's, and they have nothing in common to the degree implied by this statement, while his immoralism is neither corrosive nor pernicious, being simply amoral. Again, the authors say, when speaking of the Goncourts, that their Academy has crowned "some of the most notable books of recent years," but when they come down to the moderns they assert, after due mention of Bordeaux and Bazin, that "the Prix Goncourt has been awarded yearly to a series of 'striking' or eccentric novels; yet none of those published before 1914 seem likely to survive." The fact is, however, that it is precisely *since* 1914 that the Goncourt Academy has shown this desire for eccentricity, and that, with the exception of Marcel Proust, all of the prize-winners show a similar lack of any of the qualities which make for immortality.

Enough has been said, I fancy, to indicate that Messrs. Nitze and Dargan have contrived the standard manual of French literature. Should we, like M. Vandérem, call upon the gods to witness this outrage upon all the finer feelings of aesthetics and criticism? Surely not, unless we are unduly impressed by the importance of textbooks. The teaching of literature is in itself such an absurdity, such a contradiction in terms, that it becomes comprehensible only when the limitations that define it are remembered. Obviously it is impossible to teach a youth who is thinking only of baseball that Racine is a beautiful poet. All that one can do is to produce Esther or Phèdre and see what happens. If there is a genuine response, then neither the encomiums nor the criticisms of pundits will alter the impression received. The victims of professorial prejudices and imbecilities are foredoomed to be the victims of some convention-monger, and it matters little whether Professors Nitze and Dargan's pupils at Chicago are sent into this wicked world in ignorance of the existence of Gide, or in the belief that Remy de Gourmont is a pernicious immoralist. Those who remain either in that ignorance or in that belief are clearly destined to admire the philosophy of Dr. Frank Crane, and to prefer Zane Grey and A. S. M. Hutchinson even to those French equivalents whose places are assured in every professor's history of French literature.

A literary manual does not form the tastes of men and women of taste. It supplies information to all and sundry, and since we labor nowadays under the pleasant illusion that the more people are forced to pretend to an interest in things they have no capacity or desire to understand, the better it is for all of us, so we, naturally, "teach" literature, as we give people votes. The literary manual is as appropriate to popular education as the typical politician is to adult suffrage. To argue that a student of literature with any feeling for beauty and ideas will be seriously harmed by the idiocies of the average textbook is to argue that a man of sense, because he has a vote, will believe in Winston Churchill and elect him accordingly.

ERNEST BOYD.

# The Child as Poet

*Shoes of the Wind, by Hilda Conkling. New York: The Frederick A. Stokes Company. $1.60.*

A BOOK of genuine poetry—not a parade of precocity—by a child little more than twelve. What is more, this is a second collection by a girl whose first volume appeared during her eleventh year! One thinks of Chatterton, dead at eighteen, with two crowded volumes in the Muses' Library and the mystery of the Rowley forgeries unsolved, of the fifteen year old Pamela Bianco whose recent drawings have the vigor and maturity of a master, of Erich Korngold whose orchestrations at fourteen were more complex than Richard Strauss's. The wonder, however, is not in the fact that these prodigies exist, but that there are not more of them. As musicians, particularly as interpreters, the young Heifetzes often surpass the mature artists in purity of utterance and usually outnumber them—a table of musical wunderkinder beginning with Mozart would run the length of this page. We are not surprised at Jerome Rappaport, pianist, age nine, or Erika Morini, violinist, age sixteen. But we cannot quite adjust ourselves to Hilda Conkling, twelve and something, as a serious poet. And yet, as has been remarked before, every young dreamer is not only a potential but a practising poet. The child, confronted with a world of surprises, comes upon them for the first time, sees them vividly and, unless a pattern of thought or phrase is forced upon him, will record them freshly. Unfortunately, the pattern-imposing instinct is strong within us. Parents (proverbially ineffectual teachers) and teachers (harassed, part-time parents) usually conspire to make the child exchange his wild fancies for tamed formulas, to give up "childish" experiments, to learn routines of conduct, criticism and creation. It is the pressure of custom that first alters, then directs and finally inhibits the creative impulse of most children. What we call the artist is first of all a child who has been lucky enough or strong enough to grow up without having his vision disciplined—and distorted.

If more of us were to appreciate the tentative expressions of children by pursuing the hands-off policy observed by Mrs. Conkling and other educators, there might be many more spontaneous singers as delightful—and as young—as Hilda. For here is a child whose vision is as keen as it is colorful. It is fascinating to watch Hilda while she watches the world; nothing seems to escape her playful scrutiny. Her sense of the exact phrase, her choice of the packed, revealing epithet is amazing. She notes, with precise delicacy, that lilies of the valley are "a cluster of bell-shaped moments," that a shell-pink peony is "Queen Elizabeth in a ruff," that a bough of locust-blossoms "smell like honeysuckle and poppies twined together" and that its buds are "shoes of the wind," that "morning is a picture again with snowpuffed branches" where the sky is "caught like a blue feather in the butternut tree," that "moonlight falling on water" is "like fingers touching the chords of a harp on a misty day," that "boulders have their minds on the center of the earth," that a Chinese city has a name "like music of gongs struck softly after dark."

But Hilda's images show other qualities besides her closeness of observation and finesse of phrase; they disclose an imagination both elaborate and naïve. Hilda's forte is the decoratively whimsical—as even this tiny fantasy reveals:

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DAISIES

Snow-white shawls . . .
Golden faces . . .
Countryside, hillside, wayside people . . .
Little market-women
Selling dew and yellow flour
To make bread
For some city of elves . . .

What maturity will bring Hilda is a problem for psychologists and the future. She is, at present, herself; a bright, direct little figure with the equipment and possibilities for deeper development. Meanwhile we are gravely assured—via the publisher's jacket—that Hilda, aetat twelve plus, is "growing in humanness"!

LOUIS UNTERMEYER.

*Nigger, by Clement Wood. New York: E. P. Dutton & Company. $2.00.*

THE underlying theme of Mr. Wood's novel is the search of two ex-slaves, Jake and Phoebe, for the "'mancipation that Mistuh Linkum" gave them. Not finding it in their own lives, nor in those of their weakly children born in the lean days of Reconstruction, they watch for it in the lives of their grandchildren going their divers ways in Birmingham. Phoebe dies hoping for it only in Heaven where "black gwineter be white"; Jake, believing to the end in the efficacy of "book l'arnin'," sees it coming in the future of his two great-grandchildren. The appeal in this quest Mr. Wood has handled beautifully, without in the least attempting to force its sure pathos. The vivid, unforgettable scenes here and there and the masterly finish of style almost recompense the reader for the lack of life-like characters and the super-abundance of incident.

W. T.

## A Correction

Incentives in the New Industrial Order, by J. A. Hobson, which was reviewed in the New Republic for March 7th, has been issued in this country by Thomas Seltzer.

## Contributors

JOHN W. OWENS has for a number of years been a political reporter on the staff of the Baltimore Sun.

GORDON ALLPORT has been living in Berlin since September, studying psychology under a Sheldon Fellowship from Harvard University.

ALBERT C. BARNES is a sociologist who has formulated and developed the theories underlying the Barnes Foundation through practical application of them in an industrial enterprise.

ALFRED KREYMBORG has published a number of volumes of free verse and short plays, among them Mushrooms, Plays for Poet-Mimes, Plays for Merry Andrews. He was founder and editor of Others, and during its first few months one of the editors of Broom.

THOMAS CRAVEN has written numerous articles on aesthetics for the Dial and the New Republic and is the author of a novel, Paint, recently issued by Harcourt, Brace and Company.

WALTER DE LA MARE has published several volumes of poetry. Among the more recent are New Poems, Down-A-Down-Derry and The Veil.

ERNEST BOYD, journalist and critic, a native of Dublin, Ireland, is at present living in New York. He is the author of Ireland's Literary Renaissance, Appreciations and Depreciations, and the translator and editor of a series of French classics being issued by Alfred A. Knopf.

LOUIS UNTERMEYER has published a number of volumes of poetry and criticism, the most recent of which is Roast Leviathan, recently issued by Harcourt, Brace and Company.


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**Graham Wallas,**
*speaking at the English National Union of Students, Nov. 23, 1922.*

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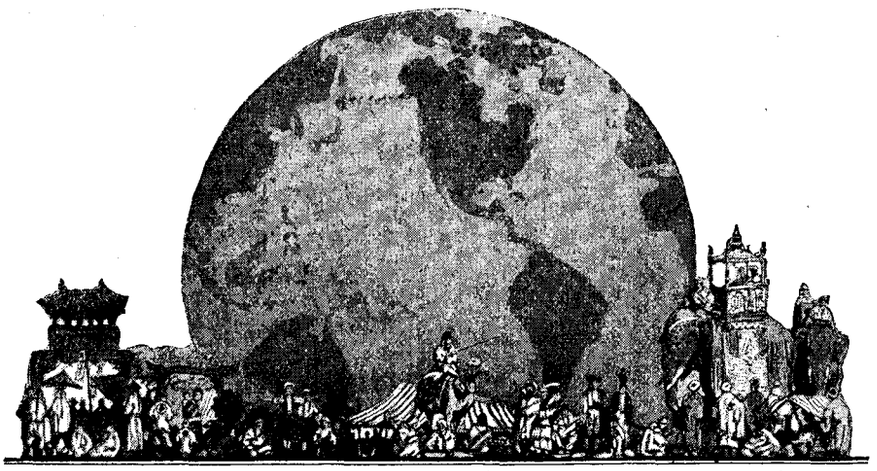

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